



An  
Bord  
Pleanála

## Inspector's Report ABP-301458-18

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### Private Application

Planning permission for the permanent continuance of use of the existing 8,840 space long term car park known as Holiday Blue and the existing 2,040 space long-term car park known as Express Red Zones Y and Z

### Location

Dublin Airport, Co. Dublin

### Applicant

DAA PLC

### Local Authority

Fingal County Council

### Observers

Health and Safety Authority  
Transport Infrastructure Ireland  
Friends of the Irish Environment  
Inland Fisheries Ireland  
National Transport Authority  
An Taisce

### Date of Site Inspection

21/08/2018

### Inspector

Gillian Kane

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## **1.0 Introduction**

- 1.1. This report refers to the application by Dublin Airport Authority Ltd., for the permanent continuance of use of the existing 8,840 space long term car park known as Holiday Blue and the existing 2,040 space long-term car park known as Express Red Zones Y and Z (Express Red), at Dublin Airport. The application is made to the Board on foot of its previous determination that the development was deemed to be strategic infrastructure, within the meaning of section 37A of the Planning and Development Act 2000 (as amended), in April 2018 (PL06F.PC.0250).
- 1.2. The Board decided not to hold an oral hearing having regard to the nature of the application and the planning history of both sites.
  - 1.2.1. Key planning issues arising from pre-application consultation are:
    - Justification of scale of development in context of passenger numbers
    - Compatibility with zoning
    - Assessment of alternatives
    - Environmental impacts in relation to drainage, attenuation, and flooding and water quality.

## **2.0 Site Location and Description**

- 2.1. The subject sites relate to two separate surface car park sites which provide long-term parking and are serviced by shuttle buses to and from the airport terminals.
- 2.2. The larger site named “Holiday Blue Car Park” is 25.1 hectares and is located to the south west of airport lands in the townland of Harristown on the southern side of the R108 road and to the north of an emerging industrial estate development. There are 8840 car park spaces. Access is at the eastern end of the R108. The Holiday Blue car park comprises a central surfaced road with a series of unsurfaced white-line marked car parking bays to the north and south. The rectangular site is bound on all sides by green palisade fencing. The airport shuttle bus travels along the central spine route stopping at bus shelters located along the spine route.
- 2.3. The smaller site, “Express Red” is 10.6 hectares and is part of the larger Red long-term car park, south east of the airport terminals. The subject site, refers to a section

of the wider car park removed from the red zone by a long access road / circulation route. The entire red car park is east of the R132 (Swords Road) and west of the M1. The site includes a car park area for 2040 cars east of Dardistown Cemetery and is the most southern part of the airport lands. The whole Red car-parking site, including the subject section, is accessed off the Swords Road (R132) via an internal road network serving the entire Red Express car park in addition to industrial premises and extensive car rental car parks/storage. This entrance is 1.2km north of the Dardistown cemetery access along the R132 and is 1.4km from this car parking area along the internal access route at its shortest point.

- 2.4. The total car parking provision for exclusive airport use is stated to amount to 25,425 spaces as provided for in Holiday Blue (8,840), Red Express (10,340) and Quickpark (6,245).

### **3.0 Proposed Development**

- 3.1. The proposed development is described as the permanent continuance of use of the 8,840 car-park known as Holiday Blue at Harristown (temporary permission granted under PL06F.PA0022) and the 2,040 space long-term car park known as Express Red Zones Y and Z at Stockdale (temporary permission granted under PL06F.PA0030), both associated with Dublin Airport.

- 3.2. The development is described in the application as follows:

- **Holiday Blue Car Park:** (25.1ha) impermeable bituminous pavement roadways and mostly permeable granular surfacing which allows for storage and partial infiltration to ground, existing SuDS, two attenuation areas with overland flow discharging via 7 no. oil-water interceptors downstream of the car park to the Quinn River / Santry River (western portion of the car park) and the Mayne River (eastern portion of the car park). Existing structures on site are: car park staff building, 10m high lighting columns, electrical kiosks and CCTV cameras, bus shelters and shuttle bus infrastructure, boundary palisade fencing, substation, barrier at entrance, landscaping and access point from R108 with internal circulation access road which includes bus turning circles.
- **Express Red Car Park Zones Y and Z:** (10.6ha) impermeable bituminous pavement roadways and car parking bay, existing SuDS, rainfall run-off to a storm-water drainage system with a large attenuation area and oil-water

interceptor to the north-east of the car-park discharging to the Cuckoo Stream. Existing features: car park building including public toilets and staff break room, 10m high lighting columns, electrical kiosks and CCTV cameras, bus shelters and shuttle bus infrastructure, boundary palisade fencing, admin office portacabin, car park maintenance storage portacabin, substation, ticket station, barrier and entrance canopy at entrance, and landscaping works.

3.2.1. The application is accompanied by the following:

- Plans and particulars in respect of the proposed development.
- Environmental Impact Assessment Report.
- Appropriate Assessment Screening Report.
- Express Red Car Park Flood Risk Assessment
- Holiday Blue Car Park Flood Risk Assessment.

## 4.0 Planning History

4.1. The two existing car parks have extensive planning histories. These can be summarised as follows:

### 4.2. Holiday Blue Car Park

- **PL06F.PA0022:** Planning permission granted for continuation of use of long-term car park comprising 8,840 spaces for a period of 7 no. years from August 2011.
- **Reg. Ref. F07A/0093-** Five-year planning permission granted for a long-term car park comprising 2,330 spaces.
- **Reg. Ref. F06A/0088** – Ten-year planning permission for a long-term car park comprising 6,600 spaces
- **Reg. Ref. F04A/1854** – Permission granted for continuance of use of an existing car park comprising c.3,600 spaces
- **Reg. Ref. F02A/0203** – Permission granted for retention and continuance of existing car park 4,230 spaces, use restricted by way of condition to temporary and seasonal to cater for excess demand for long term car parking associated with the airport.
- **PL06F.118985:** (Reg. Ref. F99A/1519) – Permission refused for an extension to a temporary park and ride car park.

- **Reg. Ref.F99A/0426** – Permission granted for temporary seasonal car park and ride car park.

#### 4.3. **Express Red Car Park**

- **PL06F.PA0030:** Permission granted for the continuance of long-term car park (10,200 spaces) on a temporary basis for a period of seven years from the date of Board order (5<sup>th</sup> March 2014).
- **PL06F.205955** (Reg Ref. F03/1414) Planning permission granted for long-term car park use of 10,400 spaces for a period of ten years from June 2004.
- **F03A/0995:** Planning permission granted for the continuance of use for one year and to maintain the development consisting of ground level car parking of 10,400 spaces.
- **F01A/0840:** Planning permission granted for two years for the continuance of use of ground level car park.
- **F98A/1208:** Planning permission granted for extension to car park for three years.

#### 4.4. **Wider area**

- **Terminal 2: Reg. PL06F.220670** – Permission granted for new airport terminal and ancillary works at Dublin Airport, subject to 43 conditions. Condition numbers 12-25 inclusive relate to traffic management. Of most relevance is the following:

23: Provision of parking to serve the development hereby permitted shall be the subject of separate planning applications, as required. Any additional parking provided shall have regard to the modal share targets established by the Mobility Management Plan and the growth of passenger numbers using the Airport. Having regard to the assumptions underpinning the Environmental Impact Statement submitted with the subject application, the submitted Mobility Management Plan and the capacity of Phase 1 of the development, the following restrictions to car parking, which are a direct result of the proposed development, shall apply:

- (a) The total number of long-term public car parking spaces serving the Airport shall not exceed 26,800.
- (b) The total number of short-term public car parking spaces shall not exceed 4,000.
- (c) There shall be no material increase in the number of employee car parking spaces at the airport.

**Reason:** In the interest of the free-flow of traffic and the proper planning and sustainable development of the area.

- **PL06F.PA0008** - Permission granted for a 4-star hotel and multi-storey car park with 2,562 spaces.
- **Metro North Rail Order:** PL06F.NA0003 – Permission granted for the Metro North railway order approving the construction, operation and maintenance of a light rail system from St. Stephen’s Green to the Estuary stop at Swords, Co. Dublin, subject to amendments.

## **5.0 Policy Context**

### **5.1. Environmental Impact Assessment Directive 2014/52/EU**

5.2. The European Commission’s EIA Directive (amending the 2011/92/EU) requires the assessment of the likely significant environmental effects of a wide range of defined public and private projects, prior to decision making. Directive 2014/52/EU came into force in May 2017, amending previous directives and requires, amongst other things, an assessment of the direct and indirect effects of qualifying development on the following factors:

- a. Population and human health,
- b. Biodiversity,
- c. Land, soil, water, air and climate,
- d. Material assets, cultural heritage and the landscape,
- e. The interaction between the above.

5.2.1. The Directive also requires the preparation of an ‘Environmental Impact Assessment Report’ and new provisions in respect of carrying out of EIA by the competent authority and its decision making, including the incorporation of reasoned



conclusions on the significant environmental effects of the project, environmental conditions and monitoring.

### 5.3. National Planning Framework

5.3.1. The National Planning Framework was published in February 2018. High-quality international connectivity (National Strategic Outcome no. 4) is stated to be crucial for international competitiveness, with Airports and Ports a stated strategic investment priority. The NPF recognises that enhanced access to the airport is a key priority of the Metropolitan Area Strategic Plan. The three points of Outcome no. 4 are listed as:

- The development of additional runway and terminal facilities such as the second runway for Dublin Airport for which planning permission has been approved;
- Enhancing land-side access, particularly in public transport terms, such as through the Metro Link project in Dublin; and
- Careful land-use management of land-side areas to focus on the current and future needs of the airports.

### 5.4. National Aviation Policy

5.4.1. Chapter 4 of the national aviation policy (2015) refers to capacity of Dublin airport, the challenges of facilitating future growth and the need to undertake capacity reviews to ensure future connectivity and delivery of growth. The policy is to develop Dublin Airport as a secondary hub airport. The policy (section 4.5) requests that strategic level capacity reviews be considered as part of SID applications.

With regard to parking, section 4. states that access to the airport is critical for arriving and departing passengers as well as for employees of the airport and businesses located there. The NAP policy position is that “Existing capacity at State Airports should be optimised in conjunction with timely planning to enable expansion of air service connections in all relevant markets delivering wider economic benefits for Ireland”. **Action 4.5.4** states “Access to the airports will be taken into account during the development of surface transport programmes, in line with the Departments Strategic Framework for Investment in Land Transport which proposed the prioritisation of improved connections to key seaports and airports”.

## 5.5. **Regional Planning Guidelines for the Greater Dublin Area 2010-2022**

- 5.5.1. The Guidelines identify the strategic role of Dublin Airport both regionally and nationally. Its growth in the context of achieving critical mass is recognised as integral to its optimal delivery as an efficient element in the economy. The Guidelines state that both high quality public transport and high density will contribute to its viability.

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

- 5.6.1. Safeguarding the “current and future operational, safety, and technical requirements of Dublin Airport” is listed as one of the Strategic Policies of the County Development Plan.
- 5.6.2. Section 6.7 of the development plan refers to the **Aviation Sector**. It recognises the key role the Airport plays both nationally and at County level. Objectives and policies of relevance to the subject application are as follows:

**Objective ED30:** Engage and collaborate with key stakeholders, relevant agencies and sectoral representatives to ensure that Dublin Airport is developed and promoted as a secondary hub to capitalise on the associated wider economic benefits for Fingal and the wider region.

**Objective ED31:** Ensure that the required infrastructure and facilities are provided at Dublin Airport so that the aviation sector can develop further and operate to its maximum sustainable potential, whilst taking into account the impact on local residential areas, and any negative impact such proposed developments may have on the sustainability of similar existing developments in the surrounding area, and the impact on the environment, including the climate.

**Objective ED97:** Prepare the Dublin Airport Local Area Plan within the lifetime of the Development Plan in collaboration with key stakeholders, relevant agencies, sectoral representatives and local communities.

- 5.6.3. Chapter 7 of the development plan outlines the Council’s policies on movement and infrastructure. Of relevance to the subject application are:

**Objective 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

**Objective DA02:** Prepare and implement a new Local Area Plan for Dublin Airport which will accommodate the future sustainable growth and development of the airport lands while also facilitating the efficient and effective operation of Dublin Airport in accordance with the requirements of the Local Area Plan and proper planning and sustainable development.

**Objective 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 on businesses within the area.

**Objective DA19:** Ensure that every development proposal in the environs of the Airport takes into account the impact on water quality, water based-habitats and flooding of local streams and rivers and to provide mitigation of any negative impacts through avoidance or design and ensure compliance with the Eastern River Basin District Management Plan.

**Objective DA22:** Control the supply of car parking at the Airport so as to maximize as far as is practical the use of public transport by workers and passengers and to secure the efficient use of land.

**Objective DA23:** Encourage and facilitate the provision of an integrated public transport network to serve Dublin Airport.

**Objective DA24:** Protect and enhance the transportation capacity required to provide for the surface access needs of the Airport.

**Objective DA25:** Maintain and protect accessibility to the Airport as a priority.

- 5.6.4. The Holiday Blue car park and the southern section of the Express Red car parks are zoned GE General Employment, as shown on Sheet 11 of the development plan. Both sites have a Car Park specific objective. The northern section of the Express Red Car Park (which includes the access route to the subject sites Zones Y and Z) is zoned DA Dublin Airport. Non-ancillary car parking is permitted in principle in the DA zone. Car parking is not listed as a 'permitted in principle' or a 'not permitted' use in the GE zone. The development plan states that uses which are neither 'Permitted in Principle' nor 'Not Permitted' will be assessed in terms of their contribution towards

the achievement of the Zoning Objective and Vision and their compliance and consistency with the policies and objectives of the Development Plan.

5.6.5. Sheet 11 shows a 'Road Proposal' running through the Holiday Blue site and to the north of the southern section of the Express Red car park. No timeframe is provided for this road.

5.6.6. The Express Red car park is subject to two LAP objectives. The northern section of the long-term car park (which includes the access route to the Y and Z zones) is part of the Dublin Airport LAP (LAP 11.A) and the southern section of the Express Red is subject to the Turnapin LAP (LAP11.C). The 2006 Dublin Airport LAP has expired and has not been updated. An LAP for Turnapin has not been prepared.

## 5.7. **Dublin Airport Local Area Plan**

5.7.1. The 2006-2015 LAP has expired and there is no new Local Area Plan to date. In the previous LAP the car parking policy stated that: 'Short-term and long-term passenger car parking facilities will be developed phased in accordance with the airport's growth and with improved public transport access. Long-term parking will be provided in a number of discrete locations on the periphery of the airport site, with good access from the external road network and frequent shuttle connections to the terminal buildings. Short-term spaces will be provided in multi-storey car park structures in proximity to the terminal buildings. The vast majority of employee parking and car hire parking will be relocated away from the central terminal area. The growth of employee parking will be strictly controlled.'

5.7.2. With regard to long-term car parking, section 2.4.4 of the LAP states "Currently DAA operate 14,000 long term car parking spaces at Dublin Airport with an additional 3,500 spaces privately owned by Quick-Park on the R132. These car parks are remote from the terminal building and passengers are transferred via shuttle buses to and from the terminal building. Therefore, in the current arrangement all of the long-term car parking is located away from the main terminal buildings and airport access points. The demand for long term car parking in 2005 was in the order of 20,500 spaces. The resulting shortfall of 3,000 spaces was made up by providing (a) 1,000 additional spaces in Eastlands, using "Block Parking" and (b) 2,000 additional spaces by utilising spare capacity in the short-term car park."

- 5.7.3. Long Term Parking: A dispersal policy is to be adopted, whereby car parking is provided in a number of discrete locations on the periphery of the airport site. Parking will be provided in the Designated Airport Area within the revised Public Safety Zones. Figure 5 of the plan shows the location of all parking associated with the airport.

## 6.0 Submissions

### 6.1 Prescribed Bodies

- 6.1.1. Notification of the application for the proposed development was set to the prescribed bodies set out in Schedule 2 of the applicant's letter to the Board of the 21<sup>st</sup> May 2018. Submissions were subsequently received from following:
- **HSA:** The Health and Safety Authority does not advise against the granting of planning permission in the context of Major Accidents Hazard.
  - **TII:** Condition no.s 12, 23, and 24 of PL06F.220670 should extend to the subject site. Measures to promote and sustain sustainable transport should be continued.
  - **NTA:** Acknowledges the need to maintain the existing level of long term car parking and has no objection to the continuation of use on a permanent basis, provided the car parking cap set under condition no. 23 of PL06F.220670 is not exceeded.
  - **Inland Fisheries:** The South Apron, Runway 10 and terminal buildings should have been included in the hydrology assessment. Conditions of a permission should include ground water monitoring, physiochemical monitoring in accordance with EC Environmental Objectives and mitigation measures as set out in section 5.51 and 5.52 of the EIAR.

### 6.2 Observations

- 6.2.1. Observations on the proposed development have been submitted to the Board from the following. The issues raised can be summarised as follows:
- **An Taisce:** The Board must complete a de novo assessment, in accordance with the EIA Directive and EU, national and local policy framework. If adverse impacts cannot be mitigated against consent cannot be allowed. The Applicants justification arguments are not supported by the National Planning Framework.

The claims made regarding modal share are not credible. The EIAR fails to adequately consider alternatives. The proposed development contravenes national policy.

- **Friends of the Irish Environment:** The information submitted regarding water quality is misleading. The EIAR and the AA do not explain pollution episodes in 2015 and 2016 at sampling location S2 and three episodes at location K2 in 2016/2017. It is submitted that drainage from the car parks is delivering pollutants to the rivers. The Board cannot allow continuation of this without evidence to the contrary.

### 6.3. Planning Authority Report

- 6.3.1. In accordance with section 37E(4) of the Planning and Development Act, 2000 (as amended), Fingal County Council provided to the Board a copy of the Chief Executive Officer's report which was presented to a meeting of the County Council on the 11<sup>th</sup> June 2018. A cover letter attached to the submission states that "with regard to Appendix A Water Services Report, there is no objection subject to standard conditions, as captured in Condition no. 3, section 9 of the Chief Executive's Report".
- 6.3.2. The report outlines the comments of Members of the Council in favour of retaining the temporary permission. Members raised the matter of surface water, Metro Link, car charging and solar panels and the inefficient use of land. A motion to "recommend a further temporary permission ...for ten years" was passed with 21 no. votes in favour and 17 no. votes against.
- 6.3.3. The report provides a comprehensive description of the proposed development, site location and description, planning history and national, regional and local policy framework.
- 6.3.4. In the **assessment of the proposed development** (section 7 of the report) the Planning Authority state that the proposed development is considered to be an essential component for the continued and successful operation of the airport as part of a wider mobility plan that encourages and facilitates the provision of an integrated public transport network to serve Dublin Airport – inclusive of Metro North when operational.

- 6.3.5. In terms of the **principle of the development**, the report states that the GE land use zoning objective is “silent on car park uses at both the blue and red car park sites”. Part of the red car park is zoned DA within which car parking is permitted in principle. The report states that the proposed development is acceptable in principle as the uses are long established without any noted adverse impacts. It notes that there is a specific objective for car parking on both sites, that the proposed development would not preclude any future development or future LAP and that the proposed development complies with the parking cap imposed by condition no, 23 of PL06F.2206070.
- 6.3.6. The proposed development does not involve any changes to the **layout and design** which were deemed acceptable by the Board under previous SID applications. The proposed development would not preclude future decommissioning of car parking should there be a change in development plan requirements.
- 6.3.7. The **flood risk assessment** for the proposed development indicates a potential for flooding of the Holiday Blue Car Park from pluvial and culvert blockage. Existing mitigation measures in the form of SuDS and culvert upgrade should be conditioned in the event of a grant of planning permission. Car parking is considered a water compatible use in the Flood Risk Guidelines. The AA screening report concludes that there will be no significant residual (*the report says “residential” but it can be presumed this is a typographical error*) impacts on **surface water** or ground water given the mitigation measures proposed. The AA screening report refers to the recent improvements in surface water quality, coinciding with the recent drainage upgrade works. Temporary water pollution events are mentioned in both the AA screening report and the EIAR. Four recommendations are made in the CEO’s report with regard to surface water management.
- 6.3.8. With regard to long term car parking the report states that there are three unique aspects to parking at an airport. These are the consequences for drivers / passengers of not finding car parking (missing a flight), that terminal capacity being the critical constraint on airport activity has been taken into account in the granting of planning permissions and that the Council has a policy of limiting car-borne commuting. The proposed development is for airport passengers and therefore does not contribute to long term parking.

6.3.9. Mobility management measures implemented by the DAA have resulted in no material increase in staff parking notwithstanding an increase in staff numbers and airport activity. The Planning Authority support the principle of long-term car parking for the following reasons:

- the particular requirements of airports,
- the parks are ancillary to the terminals and were taken into consideration when granting Terminal 2,
- and the parks do not contribute to car-borne commuting and the success of the mobility management measures.

6.3.10. The report states that the Chief Executive has no objection to the permanent continuance of the two car parks subject to conditions. The 6 no. recommended conditions are as follows:

- 1 Planning permission to be granted in accordance with submitted documentation.
- 2 All surface water management measures (incorporating SuDS as appropriate) be carried out and implemented to the standards set out in the Fingal County Development Plan 2011-2017 together with, over the lifetime of the proposed development, full implementation (including maintenance) of mitigation measures, the on-site pollution attenuation and drainage systems described in the SID application and regular monitoring programme of surface water discharge and groundwaters.
- 3 No surface water / rainwater shall discharge into the foul sewer system and surface water discharge shall be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works version 6.0 FCC April 2006.
- 4 That all requirements of Water Services Planning be complied and where the applicant proposes to connect directly to a public water / waste water network operated by Irish Water. The applicant is required to sign any relevant connection agreement to the standards set out in the agreement.
- 5 The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefitting development in the area of the Planning Authority that is provided by or intended to be provided



by 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. The contribution shall be paid prior to the commencement of the development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation 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 the Board to determine the proper application of the Scheme.

- 6 The car park shall not be lit in such a manner as to cause excessive glare or distraction to road users. The level of illumination may be reviewed at any time by the Transportation department and adjustments shall be made by the developer if requested by Fingal County Council at his own expense.

6.3.11. Appendix A to the Chief Executives Report is a report from the **Transportation Planning Section**. The report states that a traffic impact analysis is not required for the proposed development as the traffic impacts have been considered in planning applications for terminal capacity and that the traffic impacts of a refusal of permission would have significant negative traffic impacts.

#### 6.4. Applicant Response to Submissions

6.4.1. An agent for the DAA responded to the matters raised in the submission by Fingal County Council, the four prescribed bodies and the two observations. The key points are stated to be as follows:

- The proposed development has the support of Transport Infrastructure Ireland, the National Transport Authority and Fingal County Council.
- The preservation of the carrying capacity of national roads serving access to gateways such as Dublin Airport is an aim of the Guidelines on Spatial Planning and National Roads (2012)
- The Fingal County Development Plan 2017 has a statutory objective to provide long term car parking in these locations.

6.4.2. The applicant notes that **Transport Infrastructure Ireland** raise no objection to the proposed development. The applicant states that their Mobility Management Update

(MMU) of 2017 is committed to promoting sustainable transport. 34% of journey to the airport are made by bus. Conditions no. 12,23 and 24 of PL06F.2206070 (terminal 2) continue to apply and have been agreed with Fingal County Council.

- 6.4.3. The applicant notes that the **National Transport Authority** do not object to the proposed development. The NTA acknowledge the need to maintain the existing level of long-term car parking to serve the permitted capacity of the Airport.
- 6.4.4. The applicant notes that the **Health and Safety Authority** do not advise against the proposed development.
- 6.4.5. In response to the submission of **An Taisce**, the applicant states that there is no presumption that the proposed development will be granted.
- The subject application for strategic infrastructure comprises a full planning analysis and environmental assessment as set out in the EIAR.
  - The proposed development has been assessed against the policy documents for Irelands climate change and transportation agenda.
  - The Airport has achieved 34% bus based public transport which increases to 56.1% if taxis are included. This is in line with Smarter Travel, the National Policy Position on Climate Action and Low Carbon Development and the Climate Action and Low Carbon Development Act. The proposed development will not affect this as there is no increase in traffic and transport due to the fact that the car parking spaces are already in existence.
  - Current congestion on the national road network cannot be attributed to Airport traffic accessing long-term parking options. This has been confirmed by the traffic studies in the EIAR.
  - Section 1.2 of the Guidelines on Spatial Planning and National Roads (2012) notes that the primary purpose of the national road network is to provide strategic transport links between the main centres of employment and population such as the Airport.
  - The proposed development is fully supported by zoning objectives and specific local objectives.
  - The proposed development does not increase supply. Condition no. 23 of the Boards decision of PL06F.220670 states that long-term parking of 26,800 is appropriate even with Metro-link in place.

- The existing long-term car parks exist only to serve and support the airport. The efficient use of airport land is achieved.
- The National Planning Framework recognises that the airport is accessed by a variety of transportation modes, all of which require further investment.

6.4.6. The applicant welcomes that **Inland Fisheries Ireland** note the improvement in surface water quality between 2014 and 2017. The EIAR documents that no significant water quality issues associated with key potential contaminants of concern were noted.

6.4.7. With regard to the submission of **Friends of the Irish Environment** that breaches of limits for Dissolved Oxygen, Biological Oxygen Demand and petroleum hydrocarbon concentrations were recorded, the applicant states that a three-year evaluation of surface water was undertaken for the EIAR (chapter 11). The exceedances should be viewed in the context of statistical and trend analysis. The conclusions of the AA and the EIAR do not contradict the analytical data provided.

6.4.8. The applicant notes that **Fingal County Council** are in support of the proposed development. The members of Fingal County Council passed a motion (21 for, 17 against) recommending temporary permission for a ten-year period.

- Section 7 of the Chief Executives report recognises that long-term car parking is an essential component of the success of the airport. The report states that the specific objectives for parking provision apply to the subject development and will form part of any future LAP for Turnapin.
- The report notes that there are no specific design requirements for long term car parks and that the proposed development would not preclude the future decommissioning of car parking to allow for alternative development.
- The Applicant states that they have no objection to the inclusion of a condition in respect of surface water management as per the Chief Executive's report.
- The report states that the traffic impacts of long-term car parking have been taken into account in applications for terminal capacity.
- The report states that the airports traffic management measures have successfully achieved an excellent mode split for public transport.

6.4.9. The applicants case for a permanent permission is as follows:

- Surety and clarity is required for national infrastructure. Given that the car parks are in existence for longer than twenty years, there is no prediction of uncertainty.
- The Fingal development plan ensures that access to the airport is in line with policy and the operational, safety and technical requirements of the airport.
- The airports MMU (mobility management update) recognises that while bus transport is preferable, long-term car parking is used by 1 in 3 passengers, particularly from 4am to 6am. This will not change when Metro link is in place.
- Permanency would not undermine long-term modal splits as it does not increase car usage or congestion.
- The proposed development complies with Fingal County Council requirements for sustainable urban drainage as outlined in the GDSDS and the Flood Risk Management Guidelines 2009.
- There are no works proposed and therefore no significant impacts on the Natura 2000 network, the cultural heritage of the area or on residential amenity.
- With regard to the suggested condition no. 5 of the Chief Executives report, it is submitted that development contributions have been paid in full for both car parks as per condition no.s 12 and 8 of PA0030 and PA0022. It is submitted that the suggested financial contribution condition is onerous and would further penalise the applicant having regard to the fact that no works are proposed.

6.4.10. The subject development sites are fully constructed and operational, with no new works required. Thus mitigation measures are not needed. An existing system of surface water monitoring is in place. With regard to AA, there is no known impact to any Natura site.

6.4.11. The proposed development of an existing long-established use is consistent with the policy framework. The Board is requested to grant permission.

## **7.0 Assessment**

- 7.1.1. I have read the planning application for the proposed development and the submissions and observations that have been made to the Board in respect of it. I have inspected the site and the surrounding area. Many of the matters raised by parties are also relevant under the environmental impact assessment, which follows in section 8.0 of this report. Having regard to this, I consider that the key issues arising in respect of the planning assessment comprise the following.
- Principle of development
  - Hydrology
  - Mobility Management
  - Financial Contribution
- 7.1.2. **Principle of Development**
- 7.1.3. The principle of development on the two subject sites is long-established, with a series of permissions granted by both the Planning Authority and the Board. In my opinion, having regard to the planning history and to the assessment of alternatives in the EIAR which I consider reasonable and comprehensive, the option of refusing permission is therefore not reasonable nor warranted in this instance.
- 7.1.4. The substantive issue therefore is not whether permission should be granted or refused, but whether permission should be granted on a permanent basis or a further temporary permission. The board will note that in bringing the proposed development to the Council meeting of 11<sup>th</sup> June 2018, the Councillors voted in favour of a further temporary permission for ten years. The Chief Executives Report states (section 8) that the Planning Authority has no objection to the granting of permission on a permanent basis.
- 7.1.5. The reasoning for a further temporary permission would be to facilitate assessment of the effect on long-term car parking demand from the operation of future infrastructure projects such as Metro North. As part of the PC0250 pre-application for the subject development the applicant was requested to review the demand for car parking and its implications on modal split since the granting of permission for Terminal 2 and the consequent cap on parking. This is addressed in greater detail below.

7.1.6. Within this context, I consider that the proposed development is consistent, in principle, with policies of the County Development Plan, subject to satisfactory conclusions in respect of environmental effects and the other matters raised in submissions.

## 7.2. **Car Parking, Modal Share and Future Infrastructure**

- 7.3. Total car parking provision for exclusive airport use is stated by the applicant to amount to 25,425 spaces, with 8,840 provided in Holiday Blue, 10,340 in Express Red and 6,245 in Quickpark. This is within the stipulated cap of 26,800 spaces which was imposed by way of condition attached for airport Terminal 2.
- 7.3.1. Dublin Airport has a permitted capacity of 32 million passengers per annum (mppa) as per the permission granted by the Board for Terminal 2 (PL06F.220670). As noted above condition no. 23 of that permission imposed a cap of 26,800 long term car-parking spaces and 4,000 short term spaces. The information provided to the Board to make that assessment included a Mobility Management Plan prepared in 2006. This plan assumed an opening date of 2012 for Metro North and that after the first few years of operation (by 2020) public transport share would be 40%. Passenger growth was to increase to 30 mppa.
- 7.3.2. The applicant states that in fact, in 2017 passenger numbers increased to 29.6mppa, long-term car parking remained within the cap and public transport modal share was 33.9%, all without Metro North.
- 7.3.3. In terms of ensuring public transport access to the airport, chapter 9 of the EIAR states that an MMU (Mobility Management Update) is published and updated every two years. The 2017 MMU states that 35% of trips to the airport are by bus / coach / train. If taxis are included this increases to 56.1%. The EIAR states that while the airport wishes to improve this modal share, they also recognise that a variety of transport modes are required to ensure the safe and efficient transfer of passengers to and from the airport. The need to facilitate long-term parking is a necessary element in the range of options available and is a necessary operational element of the Airport.
- 7.3.4. Section 9.75 of the report states that passenger numbers grew by 46% between 2012 and 2016 and that it is reasonable to assume that demand for car parking and traffic movements have grown in tandem. The report provides comprehensive detail

about the nature and extent of long-term parking and the profile of demand over the seasons.

- 7.3.5. In examining the information presented to the Board for Terminal 2, the report states that the belief at that time was that Metro North would show a sudden jump in public transport – 6.5% in the first year and a further 9.5% between 2012 and 2020. In reality, without metro north, the increase in public transport was 7%.
- 7.3.6. It is not clearly stated but the inference from the EIAR is notwithstanding the increase in passengers to the airport and that Metro North has not yet materialised, public transport access to the airport is growing and long-term car parking is staying within the cap imposed by the Board.
- 7.3.7. A single concern I have is that the EIAR did not examine the possibility that as future public transport options come on stream, demand for long-term car parking will decrease. The EIAR examines a number of future transport infrastructure projects. The proposed development is stated to have no material impact on the future development of Metro Link, future Bus Rapid Transit (BRT) routes or the East-West Distributor road. What is not examined however is what the impact these future transport projects would have on the existing car parks in terms of supply and demand.
- 7.3.8. It is clear from the information provided in the EIAR and the planning history on the subject parks that passenger numbers will continue to grow and that there will continue to be certain cohort of passengers (for example those arriving between 4am-6am) for whom public transport is not a feasible option. The increase in passenger numbers since the Board assessed previous parking capacity at the airport appears to have been absorbed largely by public transport – the modal share has increased and the demand for long-term parking has remained the same. It is a safe assumption that as more public transport options become available, passengers will choose that option where feasible, but a certain cohort will continue to need parking because of routes / times. What is unlikely, from the information available on file, is that demand for long-term car parking will fall or decrease. In that instance, I see no reason why permission should not be granted for the existing car-parks on a permanent basis. It has been demonstrated that there are no adverse environmental or traffic impacts arising from the operation of the two car parks to date. Given that

no works, intensification or change of use is proposed, no such impacts are predicted for the future.

#### **7.4. Flood Risk**

- 7.4.1. A Flood Risk Assessment (FRA) for both the Holiday Blue and the Express Red car parks has been submitted. Possible flooding sources for both sites are identified as fluvial from the existing watercourses, pluvial from urban drainage and a blockage in the existing drainage system.
- 7.4.2. For the Holiday Blue car-park a potential fluvial flood risk from the Quinn River was identified by the screening exercise. The predicted 1 in 100 year and 1 in 1000 year flood extents breach the boundary of the existing car park. As car parking is considered a water compatible use in the Flood Risk Management Guidelines, the fluvial flood risk is stated to be acceptable. Mitigation measures in place include an upgraded 1200mm diameter culvert, new flow control devices at outfall locations and replacement of pipework amongst other measures (listed in section 4.7 of FRA). The concluding statement of the Holiday Blue FRA is that the risks from flooding are managed to acceptable limits and there is no requirement to proceed to the “Assessing the Flood Risk Stage”. This finding is considered to be reasonable.
- 7.4.3. The Express Red FRA states that while the car park is not within the 1 in 100 or 1 in 1000 year predicted flood extent, a section of access road falls within the 1 in 100 year flood zone. Recommended improvement work undertaken was the construction of a new embankment to a maximum elevation of 52.1mOD for a length of 350m and an upgrade of the pipe network to allow for 1 in 100 year flows and blockages. The concluding statement of the Express Red FRA is that the potential flood risks are addressed sufficiently and there is no requirement to proceed to the “Assessing the Flood Risk Stage”. This finding is considered to be reasonable.
- 7.4.4. Section 6.3.7 – the Planning Authority report on the proposed development refers to the FRA submitted with the application. The Planning Authority’s report states that existing mitigation measures in the form of SuDS and culvert upgrade should be conditioned in the event of a grant of planning permission. Should the Board decide to grant permission on a permanent basis, the inclusion of such a condition is recommended.



## 7.5. Hydrology

- 7.5.1. The description of the make-up of the two car parks is given much weight in its ability to capture / store potential contaminants allowing some microbial breakdown of hydrocarbons prior to filtering through an oil/water interceptor and on to the attenuation tanks. On paper such measures appear effective. These measures are described as being one of the reasons for the finding no residual impact on the designated sites both car parks discharge into – Holiday Blue into North Dublin Bay SAC and Express Red into Baldoyle Bay SAC (see section 8.3.16 of this report). However, as noted in the EIAR and as raised by the observer Friends of the Irish Environment, a number of incidence of exceedances were recorded following monitoring of the discharge points into the Quinn / Santry River, Mayne River and Cuckoo Stream.
- 7.5.2. In referring to the monitoring period 2014-2017 chapter 11 of the EIAR notes the following:
- DO (dissolved oxygen) values not compliant with lower 80% statutory limit, BOD (biological oxygen demand) concentrations exceeded the 2.6mg/L statutory limit and Ammonia limit breached at discharge points to Quinn River / Santry River and at the Mayne River.
  - DO values not compliant with lower 80% statutory limit at discharge point to Cuckoo Stream.
- 7.5.3. With regard to impacts on surface water quality via storm-water run-off, contaminants of potential concern are stated to be TPH (total petroleum hydrocarbons) and N (ammonia). The EIAR states that during the monitoring period 2014-2017 concentrations of hydrocarbons were within statutory limits. Improvement in surface water quality is stated to be due to the completion of drainage upgrade works which included the installation of 7 no. oil-water interceptors in the Holiday Blue car park. A single exceedance of ammonia was recorded in December 2015 with no other incidences recorded. The EIAR states that this was a temporary incident with no evidence of sustained upward trends. The exceedances recorded are not of contaminants of potential concern. Therefore, while they cannot be ignored, for the purposes of environmental monitoring, they do not indicate a significant risk to water quality.

7.5.4. I accept the finding of the EIAR that no significant surface water quality issues arise from the existing development and therefore the proposed development. I am satisfied that where monitoring showed exceedances of statutory limits, it was not of key contaminants of potential concern. I note that no explanation has been presented for the individual incidences, however, given the time period that has elapsed and given that such incidences have not reoccurred, I am satisfied that they are not significant.

## 7.6. **Financial Contribution**

7.6.1. In response to the request of the Planning Authority that developer pay to the Planning Authority a s48 financial contribution in respect of public infrastructure and facilities benefitting the development, the applicant suggests that such a condition would be unreasonable and inequitable. The Applicants state that development contributions have been paid in full for both car parks pursuant to conditions 12 and 8 of PA0030 and PA0022. It is submitted that as no new works are proposed, further financial contributions would penalise the applicant.

7.6.2. It is considered that as the proposed development involves no works and will not create additional demand on the public infrastructure and facilities benefitting the subject car parks, that should the Board decide to grant permission, no financial contribution be attached.

## 8.0 **Environmental Impact Assessment**

8.1.1. The application for the proposed development was made to the Board after the 16th May 2017 and the provisions of the EIA Directive as amended by Directive 2014/52/EU apply. In accordance with the advice on administrative provisions in advance of transposition, contained in Circular letter PL 1/2017, it is proposed to apply the requirements of Directive 2014/52/EU.

8.1.2. The EIAR provides a non-technical summary which asks the Board to consider the proposed development in the context of the following key parameters:

- Dublin Airport is a vital element of national infrastructure. Seven years of growth have resulted in passenger numbers of 29.6million.

- Access to the airport by private vehicle must be facilitated notwithstanding the public transport modal share of 34.1%. Public transport to the airport is not available between 4-6am.
- The policy framework that previously provided for a temporary permission has changed. In the Fingal County Development Plan 2017 -2023, both sites are zoned GE and have a specific 'car park' objective. The Council have advised that there is no policy impediment against a permanent grant of permission.
- The continuation of the preceding 20 years of rolling temporary permission is unsustainable.
- Both car parks are at capacity. They represent a significant portion of the 26,800 space long-term car parking requirement for the airport (Terminal 2 permission PL06F.2206070).
- Fingal County Council support the proposed development.
- No physical works are proposed as part of the proposed development.

8.1.3. The EIAR describes the proposed development, including an introduction to the proposal, nature and extent of the proposed development including operational aspects, a description of the baseline scenario and a consideration of reasonable alternatives. It assesses the effects of the proposal on the environment in a grouped format and under the following headings: population and human health; biodiversity; landscape and visual; air quality and climate; noise; traffic; land, soils & geology; water; and cultural heritage. The consideration of cumulative effects with other projects is examined in Chapter 2.

8.1.4. Having regard to the above, and to my conclusions below in respect of the technical information presented, I am satisfied that the EIAR complies with article 94 of the Planning and Development Regulations, 2000, as amended and the provisions of Article 5 of the EIA Directive 2014.

## 8.2. EIAR Assessment

8.2.1. The chapter outlining the applicant's consideration of **Reasonable Alternatives** examines four alternatives: do nothing, provide multi-storey car parking, provide new car parking on a greenfield site and seek a further temporary permission. In relation to the **Do Nothing scenario**, as both car parks operate under a temporary planning permission, permitted use of the parks would cease in late 2018 for the Holiday Blue

car park and in early 2021 for the Express Red Car. In the absence of long-term car parking, demand would be met elsewhere. The EIAR states that this would result in increased traffic volumes on the road network as passengers to the airport (particularly those in the first wave from 4am-6am who cannot avail of public transport) would turn to passenger drop-offs and collections. Even with the provision of Metro-Link and an increase in public transport modal share, the EIAR states that the unique nature of Airports is such that long-term car parking is required. The report states that the location of the subject sites within various Airport controls is such that a large number of uses and developments are excluded.

- 8.2.2. The second reasonable alternative considered in chapter 2 of the EIAR is the provision of a **multi-storey car park**. This option is discounted due to the high-turnover and high costs required to make the proposal feasible. The third alternative is the creation of a **new car park on a greenfield site**. The EIAR states that the three sites identified as suitable for car parking by the Fingal County Development Plan are the two subject sites and the existing QuickPark car park. The provision of new infrastructure and subsequent environmental impacts arising from a new greenfield development is not considered a reasonable alternative. The final alternative considered is the **grant of a further temporary permission**. The EIAR states that no other strategic infrastructure development operates under a temporary permission. It states that the provision of essential infrastructure such as long-term car parking is not sustainable when operating under an uncertain temporary consent. Section 2.32 of the EIAR outlines the applicants preferred option which is the granting of a permanent permission for the two existing long-term car parks. The central area of the Express Red (formerly Eastlands) has a permanent grant of permission- PL06F.PA0030. The EIAR notes that the Inspector recommended a permanent grant of permission for the Express Red Zones Y and Z.
- 8.2.3. I am satisfied that the all reasonable alternatives to the proposed continuance of use were assessed.
- 8.2.4. Chapter 2 examines the **cumulative effects** of the proposal against a number of permitted developments in the vicinity of the Airport. These include hotels, business park, airport developments and other. The key cumulative impacts are considered to be traffic, air quality and noise. These are addressed in greater detail later in the

EIAR. In terms of major accidents and / or disasters, the potential occurrence of same is stated to be unlikely.

- 8.2.5. Chapter 3 examines the **planning and development context** that supports the proposed development. It states that the proposed use is supported by national, regional and local policy as well as the planning history of the wider Airport area. It refers to condition no. 23 of the permission for Terminal 2 (PL06F.220670 refers) which considered 26,800 long-term car parking spaces to be appropriate for an airport with 32 million passengers. The demand for long-term car parking has not and will not abate, even with the provision of new public transport infrastructure given the unique characteristics of long-term car parking.
- 8.2.6. Chapter 4 of the EIAR examines the impact of the proposed development on **population and human health**. The stage 1 Human Health screening exercise undertaken for the EIAR concludes that the continued use of the car parks will not have an adverse impact on mental health or wellbeing, social, economic and environmental living conditions and will not have an impact on global health. The report states that the only likely impact on human health is the potential risk to maintenance workers through direct contact with soils which may contain residual low-level hydrocarbon concentrations, if works were not undertaken in accordance with best practice. Interaction with other environmental topics is addressed in the chapters on water, soils, air and noise. I am satisfied that the development will have no material or significant impacts on population or human health.
- 8.2.7. **Biodiversity** is addressed in Chapter 5 of the EIAR. As both car parks are existing, the terrestrial habitat is artificial surfaces. No impacts or residual impacts will occur from the continuation of the existing development. I am satisfied that the development will have no material or significant impacts on biodiversity.
- 8.2.8. Chapter 6 of the EIAR examines **landscape and visual impact**. The existing landscape of the subject sites and the wider area is described as the rapidly changing airport and ancillary infrastructure. The impact of the proposed development on the two car parks is stated to be neutral. Table 6-1 refers to the Holiday Blue car park and provides a breakdown of the sensitivity of each viewpoint and the magnitude and significance of the visual impact. The significance of the visual impact from 14 of the 17 no. viewpoints is deemed to be neutral. Three

viewpoints along the road towards the Dublin Bus depot at Harristown were judged to be slightly adverse. For the express red car park, of the 14 no. viewpoints examined in Table 6-2, 12 no. are neutral and 2 no. from the R132 are slightly adverse. Proposed mitigation measures include maintaining the existing landscaping, resulting in no residual impacts. I am satisfied that the development will have no material or significant visual impacts.

8.2.9. **Air quality and climate** is addressed in chapter 7 of the EIAR. Emissions were calculated on the number of cars entering and exiting the parks per day, the average length of travel within the car parks and a number of cold starts. Assessed against metrological data for the airport from 2015, modelling was undertaken for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. The impacts are found to be negligible, with no significant impact on human health. No mitigation measures are proposed, and no residual impacts are predicted. I am satisfied that the development will have no material or significant impacts on air quality and climate.

8.2.10. Chapter 8 assesses the potential **noise** impacts. Noise levels at the surface car parks are influenced by the background noise of aircraft take-off and landing and the surrounding road network. No perceptible noise impacts were recorded from the assessments and noise mitigation measures are not proposed. I am satisfied that the development will have no material or significant noise impacts.

8.2.11. In terms of **traffic** impact, chapter 9 of the EIAR states that the main trip generators associated with the airport are Terminals 1 and 2 and that the car parks themselves do not generate any additional trips. Traffic counts on the 12 no. listed junctions were carried out in May 2017. The chapter assesses the subject car parks against public transport developments, nationally, regionally and within the wider area of the airport. With regard to Metro North and the granting of permission for Terminal 2 (PL06F.220670), the EIAR states that condition no. 23 of the Boards decision was based on the information provided in the 2006 Mobility Management Plan Framework. This plan assumed an opening date of 2012 for Metro North and that after the first few years of operation (by 2020) public transport share would be 40%. Passenger growth was to increase to 30 mppa (million passengers per annum). Chapter 9 states that as of 2017 Metro North has an unknown start date and the airport had 29.6mppa. Public transport modal share in 2017 was 34%. The extensive chapter on traffic states that the assumptions made in the 2006 MMPF were valid

and that the Boards decision to restrict long-term car parking to 26,800 was justifiable. The EIAR states that nothing has changed in the interim that would affect this car parking restriction and that the level of car parking provision is reasonable. The proposed development does not seek an increase in or an intensification of existing car parking and therefore the traffic movements will not change. I am satisfied that the development will have no material or significant impacts on traffic.

8.2.12. Chapter 10 of the EIAR deals with **land, soils and geology**. As the proposed development does not involve works, there is no impact on land as there will be no change to the existing land use, topography or surface cover. The potential of risk to soils and bedrock from maintenance work is to be addressed through 7 no. mitigation measures (section 10.24). No residual impacts are predicted. I am satisfied that the development will have no material or significant impacts on lands, soils or geology.

8.2.13. The penultimate chapter of the EIAR assesses the impact of the proposed development on **water**. Findings of the flood risk assessment (FRA) are presented in Appendix A. No significant flood risk is identified. The potential impact of climate change is stated to be imperceptible. Extensive detail is provided from water quality testing (biological and physiochemical monitoring) at various discharge points is provided. Exceedances of BOD concentrations (2.6mg/L) were recorded on several occasions – these are stated to be temporary with no evidence of any sustained upward trend. Dissolved oxygen (DO) was found in 2017 not to have met the required 80% lower statutory limit at the Cuckoo Stream discharge point. Surface water quality generally is stated to have improved in 2017, which can be attributed to drainage upgrade works. A series of mitigation measures are listed including ongoing monitoring as part of the airports routine environmental monitoring programme. Residual risks are not anticipated. I am satisfied that the development will have no material or significant impacts on water.

8.2.14. The final chapter of the EIAR relates to **cultural heritage**. There are no protected structures on either site. There are a number of archaeological sites in close proximity to both sites, but no potential impacts are identified. No remedial or mitigation measures are proposed. I am satisfied that the development will have no material or significant impacts on cultural heritage in the immediate or wider area.

8.2.15. I am satisfied that the likely direct and indirect effects of the proposed development on the environment have been identified. I am satisfied that no likely significant adverse effects will arise. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment.

### 8.3. **Appropriate Assessment**

8.3.1. Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora) requires that any plan or project not directly related to the management of a European site of nature conservation interest (i.e. a Special Area of Conservation or a Special Protection Area), but likely to have significant effect on it, individually or in combination with other plans and projects, shall be subject appropriate assessment, for its implications for the site. Further, it provides that the competent authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned.

#### **Applicant's AA Screening Report**

8.3.2. The applicant has submitted an AA Screening Report. The report provides details of the nature and extent of the proposed development, operational aspects, consideration of alternatives, existing short-term and long-term parking provision and the need for the proposed development.

8.3.3. The AA screening report identifies 10no. SAC's within 15km of the subject sites. 9 no. of the sites are screened out on the grounds of no significant impact on habitats for which the site has been designated. The report identifies a direct hydrological link from the car park to Baldoyle Bay SAC 000199 and this site is discussed in detail.

8.3.4. With regard to SPA's, the screening report screens out 7 no. of the 8 no. SPA's within a 15km radius on the grounds of no potential to affect the conservation objectives of the qualifying interests. Baldoyle Bay SPA (004016) is discussed in greater detail due to the surface water link. Section 4 of the AA screening report states that source-pathway-receptor route for surface water from the subject sites to Baldoyle Bay SAC /SPA is addressed in detail in Chapter 11 of the EIAR.

8.3.5. The screening report notes that there are a variety of surface water features within the existing car parks, including numerous drainage ditches. Rainfall run-off from the



Holiday Blue Car Park drains directly to the ground via permeable granular surfacing or in to one of the two attenuation tanks. Excess run-off drains overland, passes through an oil-water interceptor and ultimately discharges to the Quinn River / Santry River to the west or to the Mayne River to the east. The screening report states that while there are no surface water courses on site, the Quinn River / Santry River formerly ran through the site before it was culverted beneath the car park. The Quinn River / Santry River flows south-easterly, discharging to the North Dublin Bay SAC. The Mayne River discharges to the Baldoyle Bay SAC in Portmarnock, approx. 8km east of the car park.

- 8.3.6. Section 4.33 of the Screening Report assesses the potential impacts on water from the proposed development on the Holiday Blue and the Express Red car parks. Potential risks from both sites are stated to be oil / fuel spillages which could result in a hydrocarbon contamination of the receiving water bodies via storm water discharge. The report finds the risk will not result in an adverse impact on surface water quality due to the existence of attenuation tanks and oil-water interceptors. Potential risk to groundwater is stated to be negligible and warrants no further consideration. Pollution prevention measures will be implemented to address any potential surface water or groundwater impacts (section 4.40 refers). The concluding statement of the AA screening report is that “based on the findings of the site walkover survey, the biological water quality testing (Q analysis) and the results of the physiochemical water quality results, there will be no significant impacts on the integrity of Baldoyle Bay SPA / SAC from the permanent continued use of Holiday Blue and Express Red Car parks.” The AA screening concludes that the continued use of the Holiday Blue and Express Red car parks will not result in negative impacts on either Baldoyle Bay SAC or Baldoyle Bay SPA or indeed to other Natura 2000 sites in the wider landscape.

### **Assessment**

- 8.3.7. There are 10 no. SAC's within a 15km radius of the subject car parks:
- Baldoyle Bay SAC 000199
  - Malahide Estuary SAC 000205
  - Howth Head SAC 000202
  - Irelands Eye SAC 002193

- Lambay Island SAC 000204
- Rogerstown Estuary SAC 004015
- North Dublin Bay SAC 000206
- South Dublin Bay SAC 000210
- Rye Water Valley SAC 001398
- Rockabill to Dalkey Island SAC 003000

8.3.8. Rainfall run-off from the Express Red Car Park drains to the storm water drainage system passing through an attenuation area and an oil-water interceptor and discharging into Cuckoo stream. The cuckoo stream joins with the Mayne River before ultimately discharging into the Baldoyle Bay SAC. The Holiday Blue Express Car Park lies over the culverted Quinn River, which is a tributary of the Santry River. The Santry River discharges directly into North Dublin Bay SAC. Run-off drainage from the western part of the Holiday Blue car park discharges to the Quinn River. Run-off from the eastern part of the car park discharges to the Mayne River.

8.3.9. There is a direct hydrological link between the two car parks and both the Baldoyle Bay SAC / SPA and the North Dublin Bay SAC (000206). The potential impact on the Natura 2000 sites is the contamination of ground or surface water through fuel spills or leakages which would end up in one of the waterbodies discharging to the designated sites.

8.3.10. **Baldoyle Bay SAC (000199) / SPA (004016)** is 8.4km from the Holiday Blue car park and 5.4km from the Express Red car park. The SAC is described by the NPWS as a fine example of an estuarine system that contains four habitats listed on Annex 1 and has two legally protected plant species. The site is also important for bird species and notably internally important population of pale Bellied Brent Geese and 7 species of national importance including 2 Annex 1 Birds Directive Species. Qualifying interests for the SPA are:

- Light-bellied Brent Goose (*Branta bernicla hrota*)
- Shelduck (*Tadorna tadorna*)
- Ringed Plover (*Charadrius hiaticula*)
- Golden Plover (*Pluvialis apricaria*)
- Grey Plover (*Pluvialis squatarola*)

- Bar-tailed Godwit (*Limosa lapponica*)
- Wetlands & Waterbirds

8.3.11. Qualifying interests for the SAC are:

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

8.3.12. The NPWS characterization form describes the Bay as substantially a Nature Reserve and notes that it is not significantly threatened in any way. The part of the site at the Mayne River, outside of the Nature Reserve, has been proposed for development in the past however and is still considered to be under threat. The site receives pollution from a number of sources, chiefly the inflowing rivers but also an unsatisfactory sewage network. A new sewage works has been planned. Bait digging and controlled wildfowling may be problems. *Spartina* is well established in the inner estuary and may be causing unfavourable interactions with the intertidal and salt marsh habitats. *Sterna albifrons* formerly nested but regular disturbance is a problem. The NPWS identifies the main threats to the SAC site as visitor pressure, and disturbance to wildfowl and dumping. In particular, the dumping of spoil onto the foreshore presents a threat to the value of the site. The main threat to the birds is stated to be disturbance as it is located in a densely populated area.

8.3.13. The conservation objectives for both the SAC and the SPA are to maintain the favourable conservation condition of the qualifying interests based on lists of attributes and targets.

8.3.14. The AA screening report states that run-off drainage from the western portion of the Holiday Blue car park discharges to the Quinn River / Santry River, which ultimately discharges to Baldoyle Bay SAC / SPA. The Board will note however that the Quinn / Santry river discharges into **North Dublin Bay SAC (000206)**, not Baldoyle Bay. This is correctly noted in Chapter 11 of the EIAR. In screening out the North Dublin Bay SAC (000206) table 3-2 of the screening report states "*Watercourses to which surface waters from the Holiday Blue and Express Red car parks discharge flow to*

*Baldoyle Bay and not to North Dublin Bay. There is therefore no hydrological link between the car park and this SAC.” This is not correct.*

8.3.15. North Dublin Bay SAC and North Bull Island SPA are approx. 8.4km from the Holiday Blue car park and just over 6km from the Express Red Car Park. The NPWS data sheet describes the North Dublin Bay SAC and the North Bull Island SPA (004006) as a sandy spit which formed after the building of the South Wall and Bull Wall in the 18th and 19th centuries. It extends for about 5 km in length and is up to 1 km wide in places. A well-developed and dynamic dune system stretches along the seaward side of the island. Qualifying interests for the SAC are:

- 1140 Mudflats and sandflats not covered by seawater at low tide
- 1210 Annual vegetation of drift lines
- 1310 Slicornia and other annuals colonising mud and sand
- 1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- 1395 Petalwort *Petalophyllum ralfsii*
- 1410 Mediterranean salt meadows (*Juncetalia maritimi*)
- 2110 Embryonic shifting dunes
- 2120 Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)
- 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)
- 2190 Humid dune slacks

8.3.16. Qualifying interests for the North Bull Island SPA (004006)

- A046 Light Bellied Brent Goose *Branta bernicla hrota*
- A048 Shelduck *Tadorna*
- A052 Teal *Anas crecca*
- A054 Pintail *Anas acuta*
- A056 Shoveler *Anas clypeata*
- A130 Oystercatcher *Haematopus ostralegus*
- A140 Golden Plover *Pluvialis apricaria*
- A141 Grey Plover *Pluvialis squatarola*
- A143 Knot *Calidris canutus*
- A144 Sanderling *Calidris alba*
- A149 Dunlin *Calidris alpina*

- A156 Black-tailed Godwit *Limosa*
- A157 Bar-tailed Godwit *Limosa lapponica*
- A160 Curlew *Numenius arquata*
- A162 Redshank *Tringa totanus*
- A169 Turnstone *Arenaria interpres*
- A179 Black-headed Gull *Chroicocephalus ridibundus*
- A999 Wetlands

8.3.17. Conservation objectives for the SAC are to maintain the favourable conservation condition of each of the qualifying interests, defined by listed attributes and targets.

8.3.18. With regard to the **Baldoyle Bay SPA** and the **North Bull Island SPA**, I am satisfied that the distance between the Holiday Blue and Express Red car parks and the SPA and the nature of the receiving environment is such that significant impacts can be ruled out. I am satisfied that the no likely significant impact will arise and that significant effects on the conservation objectives for the Baldoyle SPA can reasonably be ruled out.

8.3.19. In relation to the identified risks on **Baldoyle Bay SAC** and the **North Dublin Bay SAC**, I note the description of the proposed development provided in the AA screening report and the EIAR. The surface of the Holiday Blue car park is constructed of permeable gravel. This compacted stone surface allows temporary storage of oil/ fuel spillages providing additional time for microbial breakdown of hydrocarbons. Surface water run-off is filtered through an oil-water interceptor before being held in an attenuation tank. The surface of the express red car park is sealed tarmac. Surface water run-off is filtered through an oil-water interceptor and an attenuation tank before discharge into the Cuckoo Stream. The low turn-over of traffic in both long-term car parks, together with surface infrastructure are such that contamination reaching the watercourses can be deemed not likely and not significant.

8.3.20. I note the on-going biological and physiochemical monitoring of surface water carried out by the applicant. Results for the period 2014-2017 are presented in both the EIAR and the AA screening report. Exceedances have been reported for Biological Oxygen Demand (BOD), Ammonia and Dissolved Oxygen (DO). These are stated to

be temporary with no evidence of a significant upward trend. General water quality is stated to have improved during 2017.

8.3.21. I am satisfied that the identified risks are not significant nor are they likely. I am satisfied that the proposed development itself would not be likely to have a significant effect on any Natura 2000 site. Having regard to the nature and scale of the existing development, the fact that no works are proposed and the nature of the receiving environment namely a fully serviced urban site, it is 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 site Baldoyle Bay SAC (000199), Baldoyle Bay SPA (0040160), the North Dublin Bay SAC (000206) and North Bull Island SPA (004006) 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 Recommendation**

9.1. On the basis of the above planning assessment, environmental impact assessment and appropriate assessment, I recommend that the Board grant permission under section 37G of the Planning and Development Act 2000, as amended, for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

## **10.0 Reasons and Considerations**

Having regard to:

- (a) the provisions of the National Planning Framework 2018 in relation to the strategic role of Dublin Airport;
- (b) the National Aviation Policy in respect of the future growth and capacity of Dublin Airport
- (c) the provisions of the Fingal Development Plan 2017-2023 and specifically the zoning objectives on the application site which include an objective to ensure the efficient and effective development of the airport;

- (d) the planning history of the subject sites and wider area, specifically the airport terminal granted planning permission under appeal reference number PL06F.220670 and the requirement that the total number of long-term public car parking spaces serving the Airport shall not exceed 26,800,
- (e) the mitigation measures set out in the environmental impact statement report, and the likely consequences for the environment;
- (f) the proper planning and sustainable development of the Dublin Airport lands and the likely significant effects of the proposed development on a European site;
- (g) the submissions and observations received in relation to the proposed continuance of use and to the likely effects on the environment, and
- (h) the report of the Inspector

**Appropriate Assessment:**

The Board considered the Screening Report for Appropriate Assessment, the AA Screening Report and all other relevant submissions and carried out an appropriate assessment screening exercise and an appropriate assessment in relation to the potential effects of the proposed development on designated European Sites. The Board noted that the proposed development is not directly connected with or necessary for the management of a European Site and considered the nature, scale and location of the proposed development, as well as the report of the Inspector. In completing the appropriate assessment, the Board adopted the report of the Inspector and concluded that, by itself or in-combination with other plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the sites' conservation objectives.

**Environmental Impact Assessment:**

The Board completed an environmental impact assessment of the proposed development taking account of:

- (a) the nature, scale, location and extent of the proposed development on a site,
- (b) the Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the planning application,

- (c) the submissions received from the local authority, prescribed bodies, and observers, and
- (d) the Inspector's report.

The Board considered that the environmental impact assessment report, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated documentation submitted by the applicant and submissions made in the course of the planning application. The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- the impact of future infrastructure projects, in particular Metro North, on the supply and demand for long-term parking at the Airport which would be avoided by compliance with the conditions of previous planning permission regarding provision of long-term car parking and the Mobility Management Update of the Airport
- the risk of hydrocarbon contamination from oil leaks / spillages which would be mitigated against by the measures set out in the EIAR which include specific provisions in relation to surface water, SuDS, drainage infrastructure and culvert upgrades

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in the EIAR, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.



**Proper planning and sustainable development:**

It is considered that, subject to compliance with the conditions set out below, the permanent continuance of use of the car park would not undermine the delivery of public transport in the area, would not give rise to a traffic hazard, would not have an adverse impact on the environment, would not adversely impact on a designated European site and would, therefore, be in accordance with the proper planning and sustainable development of the area.

**CONDITIONS**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

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

2. The developer shall implement in full the mitigation measures contained in the environmental impact statement report statement submitted with the application

**Reason:** In the interest of the proper planning and sustainable development of the area.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. No surface water / rainwater shall discharge into the foul sewer system and surface water discharge shall be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works version 6.0 FCC April 2006.

**Reason:** In the interest of public health and to ensure a proper standard of development.

- 4 All surface water management measures (incorporating SuDS as appropriate) be carried out and implemented to the standards set out in the Fingal County Development Plan 2011-2017 together with, over the lifetime of the proposed development, full implementation (including maintenance) of mitigation measures, the on-site pollution attenuation and drainage systems described in the SID application and regular monitoring programme of surface water discharge and groundwaters.

**Reason:** In the interest of public health and to ensure a proper standard of development.

- 5 All requirements of Water Services Planning be complied and where the applicant proposes to connect directly to a public water / waste water network operated by Irish Water. The applicant is required to sign any relevant connection agreement to the standards set out in the agreement.

**Reason:** In the interest of public health and to ensure a proper standard of development.

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Gillian Kane  
Senior Planning Inspector

14 September 2018