



An
Bord
Pleanála

Inspector's Report ABP 301813-18

Development	Extension to the existing Terminal 1 Pier 1 and Pier 2 Immigration Hall
Location	Dublin Airport
Prospective Applicant	DAA Plc
Planning Authority	Fingal County Council
Type of Application	Pre-Application Consultation Section 37B of the Planning and Development Act, 2000, as amended.
Inspector	Pauline Fitzpatrick

1.0 Pre-Application Consultation

The Board received a request on the 8th June 2018 from Dublin Airport Authority to enter into pre- application consultations in relation to the proposed development at Dublin Airport.

The Board's representatives met with the prospective applicant on the 11th December 2018 at which a number of current pre-application consultation cases at Dublin Airport were discussed.

2.0 Proposed Development

The proposed development is for a c. 700 sq.m. extension to Terminal 1 Pier 1 and Pier 2 airside Immigration Hall so as to give a total internal queuing area of c. 1200 sq.m. It will extend the facility to the north into an area currently in use as a surface car park. It will also extend below the existing walkway ('Skybridge') serving Pier 1. A 1st floor rooftop plant enclosure is proposed on the new construction. Ancillary works will include the relocation of an existing escape stair serving the 1st and 2nd floors (airside and landside) and relocation of the displaced car parking spaces. The Immigration Hall is located to the north west of the main Terminal 1 building.

The proposed works are so as to reconfigure the existing Immigration Hall to provide for arriving passengers at peak hours. The existing facility provides passenger queuing space of approx. 480 sq.m. The schedules indicate a requirement (estimated) for 1,200 sq.m. peak hour queue space. Currently passenger queues extend beyond the existing hall and into the elevated walkway serving Pier 1. The proposed extension would provide queuing capacity, improve passenger flow and thereby passenger experience.

3.0 Prospective Applicant's Case

It is submitted that whilst the proposed development is of a class specified in the Seventh Schedule of the Planning and Development Act, it does not meet the criteria established in section 37A(2) of the Act and, therefore, would not constitute Strategic Infrastructure as defined by the Planning and Development Act, 2000 (as amended).

- While the development will improve operational efficiencies, it is not considered that any significant consequences of an economic or social nature will arise of a scale that could be determined to be of 'strategic' importance to the State of the Greater Dublin Area.
- While the importance of Dublin Airport for the region and State is recognised in both the NSS and Regional Planning Guidelines, the proposal will not contribute to the fulfilment of any NSS or RPG objectives.
- The proposal will not, in itself, have a significant effect on the area of more than one planning authority.
- The development would be in keeping with the previous decisions by the Board for extensions of the immigration facility.

4.0 **Planning History**

There is an extensive pre-application consultation history relating to the airport. Of relevance in this instance:-

PC0051 – proposed extension to the Immigration Facility in the then Pier A/D Link Building. The Board decided that the development was not SID.

PC0055 – proposed new lift, escalator and circulation space for the then Pier D arrivals into the GNIB/Immigration Facility. The Board decided that the development was not SID

5.0 **Legal Provisions**

Of relevance is the following class of development in the Seventh Schedule inserted into the Planning and Development Act 2000 by section 5 of the Planning and Development (Strategic Infrastructure) Act 2006:

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).

Section 37A(1) says 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) says

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.

6.0 Assessment

I consider that Dublin Airport is an ‘airport’ falling within the class defined in the Seventh Schedule (see 3.1 above). I conclude that on the basis of the information provided and particularly the stated ancillary nature and purpose of the proposed works, that the proposed development would constitute a facility or other installation related to the operation of an airport with not less than 2 million instances of passenger use per annum.

I would accept that the nature, scale and function of the proposed development is such as to provide for the expansion and reconfiguration of the existing Terminal 1 Pier 1 and 2 Immigration Hall to provide for arriving passengers at peak hours. Currently passenger queues extend beyond the existing hall and into the elevated walkway serving Pier 1. The extension would provide for queuing capacity thereby improving passenger flow and experience. There is no provision of additional gates or other such infrastructure associated with this proposal such that there would be intent to increase the capacity of the airport.

The development, in my opinion, is one that could not reasonably be viewed as being substantial in nature nor could it be viewed as being of 'strategic' importance as so construed by the provisions of section 37A(2) of the Planning and Development Act. I concur with the prospective applicant's submission, based on the scale and function of the proposed development, that the proposal could not be viewed as one of strategic economic or social importance to the State or that it would, in itself, contribute substantially to the fulfilment of any of the objectives set out in the National Planning Framework or the Regional Planning Guidelines for the Greater Dublin Area 2010-2022. I acknowledge the compatibility of the proposed development with the zoning provisions for the site under the relevant development plans applicable to the airport. The proposal would not have a significant effect on the area of more than one planning authority.

Having regard to these considerations, I am of the opinion that the proposed development would not satisfy any of the conditions contained in section 37A (2) (a), (b) or (c) of the Act. Therefore, I agree with the prospective applicant that this proposed development does not constitute a strategic infrastructure development.

Note: I acknowledge that the Board has been in receipt of a number of pre-application requests from Dublin Airport Authority in recent times relating to a range of proposed developments – PC0205, PC0206, PC0207, PC0208, PC0222 and 300667 refer. It could be construed that the accumulation of such proposed developments could, potentially, comprise development that may be regarded as being of a strategic nature in their totality. However, I remain of the view in this instance that, where the development is of a limited scale and has no impact on passenger capacity at the airport, the proposed development could not reasonably be considered to be of a type that falls within one or more of the criteria set out in section 37A(2) of the Planning and Development Act.

7.0 Recommendation

Having regard to the above I recommend that Dublin Airport Authority be informed that the proposed development consisting of an extension to the existing Terminal 1 Pier 1 and Pier 2 Immigration Hall at Dublin Airport does not fall within one or more of the paragraphs specified in the condition contained in section 37A (2) of the Planning and Development Act, as amended, and that a planning application should be made in the first instance to Fingal County Council.

Pauline Fitzpatrick
Planning Inspector

December, 2018