



An
Bord
Pleanála

Inspector's Report ABP 303134-18

Development	Thermal storage facility
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 29th November, 2018 from Thornton O'Connor Town Planning on behalf of the DAA Plc 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 consists of the provision of a 250m² thermal storage tank and associated ancillary works to be located on the southern elevation of the Terminal 2 Energy Centre, adjacent to the landside/airside fence. The area surrounding the energy centre is an operational services yard.

It is planned that the existing 3MW combined heat and power plant (CMP) which partly meets the energy demands of Terminal 2 will run each day at full load for the number of hours required to generate enough heat for that day. Any excess heat generated will be stored in the proposed 250m² storage vessel.

The vessel will be a single horizontal tank c. 16 metres long and 4.8 metres in diameter. Pipe runs required to distribute the heat from the CHP to the vessel will runs at high level within the technical area only.

The purpose of the development is to allow the applicant to tackle its energy consumption patterns with a view to reducing electrical import, primary energy requirement and global CO₂ emissions.

3.0 Prospective Applicant's Case

It is submitted that whilst the proposed development relates to 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 does not come within the scope of strategic infrastructure development in that:

- The proposed development would not give rise to significant consequences of an economic or social nature. It cannot be considered of strategic economic or social importance to the State.
- While the proposal will greatly assist Dublin Airport with controlling its energy consumption patterns, reducing electrical import, primary energy requirements and global CO₂ emissions, this does not amount to the fulfilment of any of the objectives of the National Planning Framework or any regional, spatial and economic strategy in force.
- It would not have a significant effect on the area of more than one planning authority

4.0 Legal Provisions

The development subject of this pre application consultation request relates to airside infrastructure and ancillary facilities. Of relevance, therefore, 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 and s.78(a) of the Planning and Development (Amendment) Act 2010:

Transport Infrastructure

1. Development comprising or for the purposes of any of the following:

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 situated,

(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Planning Framework or in any regional spatial and economic strategy in force in respect of the area or areas in which it would be situated,

(c) the development would have a significant effect on the area of more than one planning authority.

5.0 Assessment

I consider that Dublin Airport is an 'airport' falling within the class defined in the Seventh Schedule (see 4.1 above). I conclude that on the basis of the information provided and particularly the stated nature and purpose of the proposed development linked to the energy centre serving Terminal 2, that it would constitute a facility or other installation associated with an airport with not less than 2 million instances of passenger use per annum.

The purpose of the proposed development is to assist Dublin Airport in tackling its energy consumption patterns with a view to reducing electrical import, primary energy requirements and global CO₂ emissions. I submit that the proposed development's scale, purpose, function and significance are neither 'strategic' or 'substantial' in the sense construed and required by Section 37A(2)(a) and (b) to justify SI status. In that context 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. Whilst 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. I therefore consider that the proposed development as described in the submission would not satisfy any of the conditions contained in section 37A (2) (a), (b) or (c) of the Act.

Having regard to these considerations, I am of the opinion that the proposed development does not constitute a strategic infrastructure development.

6.0 Recommendation

Having regard to the above I recommend that Thornton O'Connor Town Planning on behalf of the DAA Plc be informed that the proposed development consisting of the provision of a thermal storage facility 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, 2000, as amended, and that a planning application should be made in the first instance to Fingal County Council.

Pauline Fitzpatrick
Senior Planning Inspector

December, 2018