



An
Bord
Pleanála

Inspector's Report

ABP-305298-19

Development	Amend the North Parallel Runway (North Runway) permitted under FCC Reg. Ref. F04A/1755; An Bord Pleanála Ref: PL06F.217429.
Location	North Runway, Dublin Airport, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F19A/0023
Applicant(s)	Dublin Airport Authority
Type of Application	Permission
Planning Authority Decision	Grant permission (9 no. conditions)
Type of Appeal	Third Party
Appellant(s)	Irish Airline Pilots Association Safety & Technical (IALPA S&T)
Date of Site Inspection	28/11/2019
Inspector	Conor McGrath

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	5
3.1. Decision	5
3.2. Planning Authority Reports	6
3.3. Prescribed Bodies	8
3.4. Third Party Observations	8
4.0 Planning History.....	8
5.0 Policy Context.....	11
5.1. Development Plan – Fingal County Development Plan 2017-2023.....	11
5.3. Natural Heritage Designations	14
5.4. EIA Screening	14
6.0 The Appeal	15
6.1. Grounds of Appeal	15
6.2. Applicant Response	16
6.3. Planning Authority Response	18
6.4. Further Responses.....	18
7.0 Assessment.....	18
8.0 Screening for Appropriate Assessment	27
9.0 Recommendation.....	34
10.0 Reasons and Considerations	35
11.0 Conditions	36

1.0 Site Location and Description

- 1.1. The site of the proposed north parallel runway at Dublin Airport is located generally to the north of existing airport terminal buildings and associated facilities and comprises approx. 265.7ha across a number of townlands. At their western end, the lands were in agricultural use until recent times while the more easterly lands were in active use associated with the airport.
- 1.2. There are currently two runways in Dublin airport. The main runway runs east-west on the southern side of the airport lands, referred to as runway 10/28. There is also a north-south runway, 16/34, running to the west of airport terminal buildings. This is sometimes referred to as the cross-wind runway. The proposed new north parallel runway will run east-west and is referred to as runway 10L/28R. This will traverse the northern end of runway 16/34.
- 1.3. Works on foot of the original grant of permission for the North Parallel Runway on the lands commenced in 2017. As part of the enabling works, realignment works were carried out on a number of local roads around the perimeter of the airport. The subject application site includes sections of these roads within the application boundary, including R108 Naul Road, Toberbur Road, Forest Little Road and the Castlemoate Road.
- 1.4. Significant construction activity is currently underway on the lands to the west of runway 16/34 and in areas to the east of runway 16/34. The construction project does not yet have access to the central portion of the site around that runway or to the southeastern part of the site immediately adjoining existing airport operational areas.

2.0 Proposed Development

- 2.1. The proposed development relates to physical amendments to the North Parallel Runway and Taxiways at Dublin Airport permitted under PA ref. F04A/1755 and ABP ref. PL06F.217419. The works are described as minor physical amendments to the permitted development and no operational changes are proposed as part of the application and appeal. The works comprise the following:

- Amendments to the structure of the outer shoulder of the permitted runway (7.5m wide on each side) to be constructed of reinforced grass instead of paved construction. Overall runway width inclusive of shoulders remains unchanged;
- Reduction in the width of permitted taxiways from c.30m (min. width) to c.27m (min. width) including 2 no. 2m wide shoulders;
- Removal and relocation of permitted taxiways and rapid exit taxiways (RETS);
- Minor amendments to levels where the permitted runway intersects existing north-south runway 16/34;
- Re-location of 2 No. permitted sub-stations on the northern perimeter;
- Amendments to the alignment and location of permitted fire access roads, including removal of permitted crash gates;
- Amendments to the location of the permitted airside perimeter fence;
- Re-location of 2 no. permitted equipment cabins and associated access roads & re-location / provision of maintenance access to permitted and proposed air navigation equipment; drainage and pollution monitoring facilities.

The development will also consist of:

- The provision of 6 no. elevated Earthworks Landscape Areas (ELAs) of up to 4m in height at locations around the perimeter of the runway;
- The provision of concrete safety 'blast pads' at the eastern and western ends of the permitted runway and the northern end of north-south Runway 16/34;
- New maintenance access roads to permitted approach lighting and off the airport perimeter road;
- Provision of 2 no. shelters as rendezvous points for emergency vehicles at the southwestern end of the site, and at the eastern end of the site off Castlemoate Road;
- Provision of 1 No. pumping station and associated kiosk on the northern boundary;

- Demolition of existing security entrance and structures and the removal of the existing access off Castlemoate Road;
- Erection of 8 No. CCTV masts; sections of airside blast fencing; and all associated landscaping, boundary treatment works and all ancillary site development works above and below ground.

2.2. It is stated that the amendments are necessitated by the establishment of a new competent authority for aviation standards, the European Aviation Safety Agency (EASA) and the publication of revised regulations for runway and taxiway design (Aerodrome Design Regulations), subsequent to the 2007 permission. This relates particularly to the width of the runway and taxiways. Further amendments to the taxiway network are also proposed to improve operational efficiencies. Changes to the internal road network includes fire access roads to ensure adherence to prescribed accident response times. An overall reduction in paved area of approx. 116,000m² will arise from the proposed amendments.

2.3. The application notes that the permitted runway development was required to tie-into existing apron areas and that this application provides clarity on these works. Some changes to the permitted runway development are also required to co-ordinate with the location of navigational aids provided by the Irish Aviation Authority, whose location was not clear at the time of the previous application. The function of the proposed perimeter Earthwork Landscape Areas (ELA's) is to improve reflected navigational signals around the permitted runway, to provide visual screening and reuse material which would be otherwise transported off-site.

3.0 Planning Authority Decision

3.1. Decision

In considering the application, the planning authority sought further information and clarification of further information in relation to a number of matters including:

- Interaction of proposed Earthwork Landscape Areas (ELA's) with surface water management and flood risk.
- Details of the surface water management design.
- Clarification on the potential for effects on European Sites and the role of potential mitigation measures.
- Clarification on documentation submitted with the application.

The planning authority subsequently decided to grant permission for the proposed development subject to 9 no. conditions, including the following:

2. The conditions of permissions made under Reg. Ref. F04A/1755 (PL06F.217429) and F04A/1755/E1 shall be complied with. The appropriate period for the development hereby permitted shall concur with that of F04A/1755, PL06F.217429, that is all works shall be completed by 28th August 2022.
3. Prior to commencement of development details of the 0.1% event for the permitted development shall be agreed with the Water Services Section.

3.2. Planning Authority Reports

3.2.1. Planning Reports:

Having regard to the report of the IAA, the proposed amendments are generally consistent with development plan objectives. The submitted rationale for the proposed amendments is reasonable and necessary and the proposed changes are acceptable. The conclusions of the Landscape and Visual Impact Assessment with regard to the proposed ELA's are noted and concurred with. These works are acceptable. The proposed amendments relating to buildings and structures are acceptable and will not result in adverse impacts on amenities.

The proposed amendments are not considered to be of a class requiring a mandatory EIA, nor are they of a scale to cause significant effects triggering a requirement for sub-threshold EIA.

The proposal is for physical amendments to the parent permission whose conditions will continue to apply. The submission from IALPA is noted. As IAA has no objection to the proposal, it is concluded that they are acceptable. Potential unauthorised works are an enforcement matter subject to a separate process.

Initial reports noted that the submitted AA Screening Report appeared to rely upon implementation of a surface water management plan and construction management plan to avoid potential impacts on European Sites. As mitigation cannot be relied upon at screening stage, further information was required. Subsequent reports concurred with the conclusion of the consultant ecologist that the proposed development does not require the submission of a NIS and that the requirement for AA can be screened out.

3.2.2. Other Technical Reports

Consultant Ecologist – Brady Shipman Martin: Clarification was required with regard to the necessity for specific mitigation measures, in order to protect European sites.

The revised Screening Report clarifies that the application relates solely to physical amendments to the runway and that no mitigation measures were proposed in respect of the amendments. It confirms that the surface water management system was agreed as part of the original consent and is an intrinsic part thereof. The amendments will slightly reduce emissions to water. It is clear that the measures included in the Screening Report are not intended to avoid or reduce harmful effects on a European Site. Flood risk and drainage have no implications for the AA screening report.

It is concluded that the development, either on its own or in combination with other plans or projects, will not be likely to have a significant effect on any European site, and that AA and submission of a NIS is not required.

Water Services: Initial reports identified a requirement for further information in relation to the possible drainage and flooding implications of the proposed earth embankments (ELA's) and details of the surface water catchment design and

drainage calculations. Following receipt of FI, there was no objection subject to conditions.

Transportation Planning: No objection subject to condition.

3.3. Prescribed Bodies

Irish Aviation Authority: Having fully examined the amendment proposals, the IAA Air Navigation Service Provider considers that none of its responsibilities are adversely affected by the ground infrastructure changes and therefore has no objection to the DAA proposals set out therein.

Irish Water: No objection subject to condition.

3.4. Third Party Observations

Submissions received on the application from third parties, are generally reflected in the third-party appeal on this case.

4.0 Planning History

There is an extensive planning history relating to the airport lands. Relevant planning history cases include the following:

ABP ref. ABP-302317-18: It was determined that the works the subject of this application and appeal did not come within the scope of S.37(A)(2) and did not constitute Strategic Infrastructure Development.

PA ref. F04A/1755 ABP ref. PL06F.217429: 10-year permission granted on appeal for the new northern runway, 3110m in length and 75m in width including associated taxiways, internal road network, substations, navigational equipment, site works, demolition of derelict house and existing runway 11-29, relocation of engine testing area.

The road works included the realignment or rerouting of sections of the Forrest Little Road; Naul Road (R108) and Dunbro Lane and replacement of these latter roads with a new 2km road to the St.Margaret's By-Pass at a new junction.

The decision was subject to 31 no. conditions including the following. Planning authority reports on the subject appeal case indicate that all conditions precedent requiring agreement have been discharged by the planning authority.

3. This condition refers to the operation of runways at the airport and the timing of aircraft landing and take-off on the proposed runway.
4. The crosswind runway (16-34) shall be restricted to essential occasional use on completion of the new runway
5. This condition places restrictions on night time aircraft movements at the airport.
12. Prior to commencement of development, the developer shall submit to the planning authority for written agreement a comprehensive environmental protection plan to minimise the impacts of the construction processes.
20. Surface water shall be drained in accordance with the proposals outlined in the planning application and the Environmental Impact Statement. Full details of the design, construction, operation and monitoring of the surface water attenuation, treatment and disposal system shall be agreed in writing with the planning authority, in consultation with the Eastern Regional Fisheries Board, prior to commencement of development.
21. A monitoring regime for the monitoring of surface water discharged to streams and the public sewer shall be agreed in writing with the planning authority and shall be fully operational prior to the completion of construction of the runway.
27. Appropriate perimeter fencing shall be erected along the full perimeter of the Northern Parallel Runway to avoid driver distraction as well as to reduce light spillage between the runway and the public roadway. The detailed design of the proposed fencing shall be agreed with the planning authority.

PA ref. F04A/1755/E1: In 2017 the planning authority granted an extension of duration of permission PA ref. F04A/1755, ABP ref. PL06F.217429 for five years to 2022.

PA ref. F18A/0747: Permission granted for free-standing sub-station and associated site works and service, located in the vicinity of the fire station on the western side of the airport campus.

PA ref. Class 32/001/19: Notification received by the planning authority in February 2019 of the intention to undertake certain exempted development works at Dublin Airport under Schedule 2, Part 1, Class 32 of the Planning and Development Regs. The works comprise:

- 500-sq.m. extension to the eastern stand at Apron 5G.
- Straighten Link 7 running east-west from Apron 5G toward Apron 5H.
- Alteration of aircraft parking

PA ref. FS5/017/19: A request for a section 5 declaration was lodged with the planning authority in May 2019 in respect of the construction of new taxiway pavement and rehabilitation of the existing taxiway. This related to works between North-South Runway 16 / 34 and the main terminal buildings. The planning authority determined that the works were exempted development.

PA ref. FS5/037/19: A request for a section 5 declaration was made in September 2019 in respect of an extension to existing North Apron (Apron 5H) to provide for 12 no. replacement aircraft stands and ancillary infrastructure. The planning authority have sought further information and clarification of further information in respect of this referral. Matters raised included:

- Possible conflict with conditions attaching to PL06F.217429
- AA screening including possible reliance on mitigation measures, and assessment of cumulative impacts.

- EIA screening, including cumulative impacts with the North Runway and works under FS5/017/19

5.0 Policy Context

5.1. Development Plan – Fingal County Development Plan 2017-2023

The lands are zoned objective DA: Ensure the efficient and effective operation and development of the airport in accordance with an approved Local Area Plan.

Vision: Facilitate air transport infrastructure and airport related activity/uses only (i.e. those uses that need to be located at or near the airport). All development within the Airport Area should be of a high standard reflecting the status of an international airport and its role as a gateway to the country and region. Minor extensions or alterations to existing properties located within the Airport Area which are not essential to the operational efficiency and amenity of the airport may be permitted, where it can be demonstrated that these works will not result in material intensification of land use.

It is an objective of the plan to prepare a new LAP for the airport.

Chapter 6 notes that for Dublin Airport to be developed as a secondary hub, it requires a sufficient level of airport infrastructure, including quality terminal facilities, runway capacity and surface access. The restrictive nature of the existing runway network at Dublin Airport is highlighted in the document 'A National Aviation Policy for Ireland'. The provision of a second runway at Dublin Airport is required to ensure future connectivity and deliver growth. This is an important element of Ireland's competitiveness as an investment destination.

Chapter 7, Movement and Infrastructure contains a range of objectives relating to the airport including:

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.

- 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.
- 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.
- DA05: Facilitate the development of a second major east-west runway at Dublin Airport and the extension of the existing east-west runway 10/28.
- 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

5.2. National and Regional Policy

5.2.1. Project Ireland 2040 - National Planning Framework

Objectives under section 1.3 Shared Goals – Our National Strategic Outcomes, include High Quality International Connectivity.

This notes that connectivity is crucial for overall international competitiveness and addressing opportunities and challenges from Brexit through investment in our ports and airports in line with sectoral priorities already defined through National Ports Policy and National Aviation Policy, and signature projects such as the second runway for Dublin Airport.....

5.2.2. National Development Plan 2018-2027

A new parallel runway at Dublin airport is identified as a Major National Infrastructure Project.

Under National Outcome 6, it is noted that due to the economic downturn, the project was put on hold, however, as passenger numbers have increased to record levels the need to progress this project has become more important and immediate

5.2.3. Eastern and Midlands Regional Authority – Regional Spatial and Economic Strategy (2019)

8.5 International Connectivity, Regional Policy Objectives include

RPO 8.17: Support the National Aviation Policy for Ireland and the growth of movements and passengers at Dublin Airport to include its status as a secondary hub airport. In particular, support the provision of a second runway, improved terminal facilities and other infrastructure.

5.2.4. A National Aviation Policy for Ireland – Dept. of Transport, Tourism & Sport Aug 2015

The objective to develop Dublin Airport as a secondary hub will require support from relevant Government Departments and State agencies. The Department's position is that the airport should be developed into a secondary hub and that this will involve the construction of a second runway as well as other infrastructure developments.

To ensure future connectivity and to deliver growth, it will be important that the State airports, and Dublin Airport in particular, have sufficient capacity and runways of sufficient length to enable services to operate to global emerging markets without weight restriction.

There are peak periods of the day, particularly in the early morning and late afternoon, when operational capacity at Dublin Airport is constrained as a result of it not having a parallel runway.

Progress Report 2019:

Policy Position: State Airports - The three State airports will continue to provide essential strategic infrastructure and services that support the economic and social objectives of the State.

The project to develop the second parallel runway at Dublin Airport is a key factor in providing the long-term capacity requirements to facilitate its further development as a secondary hub. The runway will be capable of delivering a 31% gain in connectivity by 2034, underpinning Dublin's position as a leading European Airport.

Policy Position: The Future Capacity needs of the State Airports

Existing capacity of 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.

To ensure that Dublin Airport has the infrastructure necessary to maintain the airport's position as a secondary hub and operate to global markets without weight restrictions, the process to develop a second runway at Dublin Airport has commenced. Phase 1 is complete.

5.3. **Natural Heritage Designations**

The appeal site is not subject to any natural heritage designations. The closest sites of interest to the airport are:

- Malahide (Broadmeadow) Estuary SAC (000205) and SPA (004025), approx. 3.7km northeast of the airport lands.
- Baldoyle Bay SAC (000199) and SPA (004016), approx. 6km to the east.
- Feltrim Hill Proposed Natural Heritage Area is located approx. 2.2km east of the airport lands.

5.4. **EIA Screening**

- 5.4.1. The appeal relates to development comprising amendments to the parent permission. That permission was subject to Environmental Impact Assessment and conditions attaching to the decision to grant permission refer to the EIS, the Addendum EIS and other documents submitted during the course of the application.
- 5.4.2. An EIA Screening Assessment was submitted with the subject application. A Screening Determination has issued to the first party which concluded that:

Having regard to

- i. The nature and scale of the proposed development, comprising minor amendments to the development previously permitted under ref F04A/1755, PL06F.217429, and which does not exceed the thresholds set out in Schedule 5 of the Planning and Development Regulations 2001, as amended;
- ii. The location of the site zoned for such uses in the Fingal County Development Plan 2017 – 2023, and the results of the Strategic Environmental Assessment of the plan;
- iii. The location of the site outside any sensitive location identified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended, and the absence of any likely significant effects thereon.
- iv. The guidance set out in “Environmental Impact Assessment Guidelines for Consent Authorities regarding sub-threshold Development”, Dept of the Environment, Heritage and Local Government (2003), and
- v. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended

the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

6.0 The Appeal

6.1. Grounds of Appeal

The third-party appellants, Irish Air Line Pilots Association (IALPA) Safety & Technical, raise the following issues in their appeal:

- The planning authority failed to consider proper runway design and the long-term capacity and sustainability of the northern runway.
- There was inadequate consideration given to the design issues raised by the appellants and undue weight given to the IAA submission.

- While the IAA is the competent authority with regard to oversight of the airport, the submission received was flawed.
- The relevant report from Irish Aviation Authority was not available on the planning authority website.
- New EASA regulations do not justify the proposed changes to the previously approved design.
- The proposed design is limited when compared with modern European peers.
- The original runway design will achieve the required operational efficiencies. The amended design is inferior and will not improve efficiency.
- Given the lack of planning authority expertise, the appellants have engaged an expert on airport design and operations whose report is appended to the appeal.
- The development reduces efficient movement of aircraft to runway 28R.
- The planning authority failed to adequately investigate alleged unauthorised works taking place contrary to conditions of PL06F.217429 and F04A/1755/E1 at Apron 5G and H.
- Fingal County Council are now the competent authority for aircraft noise.
- The Board should either review operational conditions no. 3 and 5 of PL06F.217429 or await the outcome of an appeal under new aircraft noise regulations.
- Clarification is required on certain navigational matters.
- Details of internal DAA and runway project group structures and organisation should be clarified.
- Clarification is required on emergency service reaction times for the revised design.

The appeal was accompanied by a report entitled “Dublin Airport Assessment of Runway System Amended Design”, Prof. Antonín Kazda.

A request for an oral hearing on this case was turned down by the Board.

6.2. Applicant Response

The DAA make the following points in response to the third-party appeal:

- The appeal does not raise any planning grounds and should be dismissed.
- The IAA is the competent authority for the approval of runway layout under a separate consent process.
- The proposed amendments are required in order to comply with new standards introduced in 2017, and following clarification on linkage with existing infrastructure and location of navigational equipment.
- The Planning Authority consulted with the IAA who raised no objection.
- The DAA are obliged separately to obtain IAA approval for all design in accordance with relevant regulations.
- The design is specific to Dublin and comparison to other airports is not appropriate. Such design issues are not within the remit of the Board.
- Works at Apron 5G were determined by Fingal Co. Co. to be exempted development and do not contravene conditions attaching to the parent permission.
- Works at Apron 5H are subject to a separate S.5 referral.
- No operational changes to the permitted development are proposed and reference to condition no. 3 and 5 of the parent permission are not relevant.
- The applicants are satisfied that runway length is satisfactory to meet current and forecast demand.
- The technical consultant's report accompanying the appeal focuses on design and safety rather than planning matters.
- The author of that report did not have access to all relevant data influencing the design but generally acknowledges the design approach for RETS.
- ELA's will be installed in compliance with EASA regulations and to the satisfaction of the regulator. They will not impact on future airport development.
- The appellant's original observation incorrectly interpreted the drainage design.
- Conditions of the parent permission will be fully complied with in this regard.
- The drainage proposals will protect the lands from flooding while ensuring safe conditions for aircraft and emergency vehicles.

6.3. **Planning Authority Response**

The planning authority make the following comments in response to the third-party appeal:

- The issues raised were fully considered by the planning authority in their assessment of the application.
- The application was referred to IAA in accordance with article 28(1)(h) and due consideration was given to their observation.
- The rationale for the development was considered and accepted.
- There is no active enforcement action relating to these lands. There have been previous Section 5 referrals / Class 32 notifications relating to lands in the vicinity of Apron 5G, where works were determined to be exempted.
- All conditions relating to the parent permission remain applicable.

6.4. **Further Responses**

Inland Fisheries Ireland: No objection.

7.0 **Assessment**

7.1. It is proposed to consider the appeal under the following broad headings:

- Proposed works / amendments
- Traffic and Transportation
- Surface Water Drainage
- Alleged Unauthorised Development

7.2. **Proposed works / amendments:**

7.2.1. The original permission for the development of the northern runway was granted in 2007. The duration of that permission was subsequently extended in 2017. I note the stated justification for the proposed amendments being the publication of revised guidelines and standards since the previous permission was granted. It is considered reasonable to accept that operational design guidance and technical

requirements would change over that time and that there is an obligation on the airport operators to comply with published regulations and standards.

7.2.2. The appellants raise a number of points with regard to the operational efficiency of the permitted and proposed designs. The expert report accompanying that appeal considers the proposed amendments under a number of headings, however, it does not identify fundamental flaws with the proposed development or required amendments. While the permitted design may achieve a higher capacity or standard of operational efficiency, I consider that this is a matter primarily for the operators and regulators and that subject to the amended design complying with published standards, there would be no objection thereto from a land use planning point of view.

7.2.3. It is proposed to consider various elements of the proposed development together as follows:

- Amendments to the structure of the outer shoulder of the runway.
- Reduction in the width of permitted taxiways.
- Relocation of 5 no. permitted taxiways:
- Amendments to runway levels at intersection with north-south runway 16/34;

7.2.4. From a land use planning point of view, there is no objection to these amendments, which will result in a reduction in paved surfaces on the site and reduced construction inputs.

7.2.5. The permitted development includes four Rapid Exit Taxiways / RETS (P3, P4, P9 and P10). The purpose of such features is to allow aircraft to exit the runway at higher speeds and therefore allowing the next plane to land or take off in a shorter interval of time, improving operational efficiency of the run-way. The proposed amendments replace these four RETS with two realigned / relocated RETS (N3 and N5), one for aircraft travelling in each direction. I regard this as an operational matter for the DAA and do not consider that it raises particular planning issues.

It is stated that amendments to ground levels at the runway intersection are required to rationalise levels on both runways and provide improved drainage of the runways, in order to enhance safe operation particularly in wet weather. There is no objection in principle to these amendments.

- Re-location of 2 No. permitted sub-stations;

7.2.6. Two permitted sub-stations on the northern edge of the site, along the internal perimeter road are referred to as sub-station 10L (west) and substation 28R (east). Sub-station 10L is being relocated approx. 50m east and 10m south. Substation S8R is to be relocated approx. 106m east and 3m south. There are associated revisions to the internal access roads and to the perimeter road, which formerly ran around the sub-stations. I note that structure height is stated to be subject to detailed design and this should be subject to confirmation by way of condition in any decision to grant permission. These are minor amendments to the permitted scheme and are not considered to not raise any significant issues.

- Amendments to the alignment and location of permitted fire access roads, including removal of permitted crash gates;

7.2.7. It is indicated that adherence to EASA regulations in respect of emergency response times requires amendments to internal fire access roads. These amendments occur at two points, at the southern end of the application site, providing revised access from the airport fire station to runway 16/34, and to the southeast of the intersection of runway 16/34 and the proposed new runway. Six no. permitted crash gates are to be omitted from the proposed development, whilst five permitted crash gates are to be retained, of which one is to be relocated.

The applicants indicate that achieving compliance with prescribed emergency vehicle response times has informed the design of the proposed amendments to the internal road network. There is no information on the file to indicate that this is not the case or that the development is not in accordance with the governing regulations. These amendments do not raise any significant concerns.

- Amendments to the location of the permitted airside perimeter fence

7.2.8. Amendments are proposed to the alignment of the perimeter fencing along a significant proportion of the airport boundaries. Under condition no. 27 of PL06F.217429, details of security fencing were to be agreed with the planning authority. Compliance submissions in this regard provided for the replacement of existing lightweight galvanised pole and wire fencing with a new dark finish 2.9m high fence with Y-crank over. The central portion / panel of the fence is to be provided as a solid panel in order to reduce driver distraction and light pollution from the airfield to public roads.

The fencing described in drawings accompanying this application generally accords with the details agreed with the planning authority under condition no. 27. The proposed amendments relate to the relocation / rerouting of certain sections of this fencing, which do not raise any concerns in terms impacts on the visual amenities of the area. I do not raise any objection or issue with the realignment proposals contained in this application.

- Re-location of permitted equipment cabins and access roads & maintenance access to navigation equipment; drainage and pollution monitoring facilities.
- New maintenance access roads;
- Provision of 2 no. shelters as rendezvous points for emergency vehicles;
- Provision of 1 No. pumping station;
- 1 no. Pollution Control Kiosk

7.2.9. Minor amendments to the location of airport equipment and associated access roads are proposed which do not raise an issue from a planning perspective. Two maintenance road access points will be provided onto Toberburr Road and Castlemoate Road at the western and eastern ends of the site respectively. The rendezvous shelters will be provided at two crash gates, providing a muster point for emergency vehicles. The shelters comprise small structures (14.4-sq.m. x 2.5m high). One shelter is sited on a relocated access road at the southwestern end of the runway, within Elevated Landscaped Area (ELA)1. The second is located at the

eastern end of the site, close to the proposed relocated Crash Gate from the Castlemoate Road.

The proposed pumping station and pollution control kiosks are located to the south of the original sub-station 28R, close to the northern site boundary. These do not comprise significant structures and would not give rise to any landscape or visual amenity impacts.

The design of junctions with public roads are to be subject to detailed design and the requirements of the roads authority, which is considered to be reasonable.

- Provision of 6 No. elevated Earthworks Landscape Areas (ELAs) to the south, north and west of the proposed runway.

7.2.10. The function of the elevated earthwork areas is stated to be:

- To assist in air navigation by improving the quality of radiated signals from glide path antennae. This involves increasing ground levels by up to 4m over adjoining final ground / public roads with a maximum slope of 1:4 facing the perimeter road.
- To reuse excavated materials and reduce their export of off-site and associated traffic movements. These features of up to 2.5m in height will provide jet blast mitigation for adjoining public roads and provide visual screening.

ELA 1 & 2 are the largest areas, located at the western end of the proposed runway.

ELA1: Located to the southwest of the proposed runway. This rises to approx. 3m over existing and permitted ground levels in this area. This ELA is traversed by internal perimeter road and an emergency vehicle access road;

ELA2: Located northwest of the proposed runway. The main area rises to approx. 5m+ over existing ground levels in this area. A lower area, ELA2B is located to the east which is graded to up a maximum of approx. 2m over existing and permitted levels in this area.

ELA3: Located on the northern side of the runway, south of Forrest Little Road. This rises to approx. 1.5m over existing / permitted ground levels.

ELA4: Located on the northern boundary, south of Forrest Little Road. The “Maximum Height” for this area identified on drawings of 64.5 AOD appears to be an error and the maximum increase over existing and permitted levels appears to be approx. 1m.

ELA5A and 5B: Located on the northern boundary at the eastern end of the proposed runway. 5A is approx. 4m over existing and permitted ground levels. 5B is approx. 2-3m over existing and permitted ground levels.

ELA6: Runs along the southern side of the site adjacent to the internal perimeter road and north of the Naul Road, R108. This rises to approx. 2.5m over existing and permitted ground levels.

All slopes are graded 1:4 maximum in order to reduce the visual impacts.

I note that significant earthworks are currently underway on the lands, including the stockpiling of materials around the site in areas identified for the Earthworks Landscape Areas (ELAs). The treatment of excavated materials was subject to the provisions of a Waste Management Plan agreed with the planning authority under condition no. 12(h) of PL06F.217429. This plan provides that as far as practical, clean / uncontaminated excavated soils will be stored for subsequent reuse on in the site, and that areas where it is to be placed / reused will be identified. Based on my observations on-site, the works carried out to date as part of construction activities on the site would appear to be in accordance with the provisions of the agreed waste management plan. I do not therefore consider that a question of retention of these earthworks arises.

In the context of the overall airport site and the current visual amenities of the area, it is not considered that these elements of the development would have unacceptable impacts on the visual amenities of the area. There are some benefits in the reduced export of surplus materials off the site. I note that the planning authority had raised queries with regard to the interaction of these areas with the surface water drainage network, however, these concerns were satisfied during the course of the application.

The appeal and the accompanying expert report, has raised issues with regard to the positioning and height of these features and has queried their effect on navigation systems and airport safety. I note that improving the quality of navigational signals is part of the stated rationale for these earthworks and developments. There was no objection to these works from the IAA at application or appeal stage and the first party note that such works will be carried out in accordance with EASA regulations and the requirements of the regulator.

I consider that in order to allow adequate flexibility to meet navigational requirements, in the event of a decision to grant permission in this case, the final height and configuration of such areas should be subject to agreement with the planning authority.

- The provision of concrete safety 'blast pads' on the western and eastern ends of the permitted runway and the northern end of north-south Runway 16/34;

7.2.11. These elements arise as a result of EASA regulations and comprise new hard surfaced area at each end of the proposed runway and at the northern end of runway 16/34. I would raise no objection to these elements of the development.

- Demolition of existing security entrance and structures off Castlemoate Road;

7.2.12. An existing security gate, Gate 1A, and associated structures at the eastern end of the site accessed from Castlemoate Road is to be removed. A future replacement security gate, Gate 1B will be provided, however, such replacement works does not comprise part of this application. A proposed relocated fire and rescue access road will be provided through this area to permitted taxiway P13 at the eastern end of the runway. These proposals raise no issues of concern.

- Erection of CCTV masts; airside blast fencing; associated landscaping, boundary treatment works and site development works above and below ground.

7.2.13. Minor other works are proposed as part of the application, which do not raise any significant concerns. Blast fencing is proposed in three locations, adjacent Apron

5G, along the R108 Naul Road just northeast of the Boot Inn and along the northern side of the Naul Road at the western end of the proposed runway. This latter section will be sited behind ELA 6. It is indicated that details of such fencing will be subject to detailed design. Having regard to the location and extent of such fencing I consider it reasonable that in the event of a decision to grant permission in this case, such matters would be the subject of agreement with the planning authority.

7.3. Traffic and Transportation:

- 7.3.1. The proposed development, comprising amendments to the parent permission, does not give rise to any changes to passenger movements or other operational impacts which are likely to have significant transportation impacts. The application was accompanied by TIA, which considered in particular the removal of 6 no. permitted crash gates and relocation of one crash gate to adjoining public roads, and the provision of new maintenance access points from public roads.
- 7.3.2. Condition no. 17 of PL06F.217429 required that the developer consult and liaise with the Railway Procurement Agency to facilitate the planning, design and implementation of Metro North and to make the required lands available when required. I note the proposed route for Metrolink does not encroach upon the proposed works and, having regard to the requirements of the above condition, I do not consider that there would be conflict between these key infrastructural projects.

7.4. Surface Water Drainage

- 7.4.1. The site lies within the catchment of the Ward and Sluice Rivers. The Ward River is a sensitive salmonid river draining to the Malahide (Broadmeadow) Estuary. Forrest Little Stream to the north of the appeal site is an important tributary of the Sluice River which drains to Baldoyle Bay / estuary.
- 7.4.2. During the course of the original application under PL06F.217429, the design of the surface water management system was subject to review to avoid contamination of adjoining watercourses. Condition no. 20 of the parent permission required that full details of the design, construction, operation and monitoring of the surface water attenuation, treatment and disposal system be agreed in writing with the planning

authority, in consultation with the Eastern Regional Fisheries Board, prior to commencement of development. This post decision design process was subject to Technical Notes prepared by the applicants and agreed with the planning authority.

- 7.4.3. The agreed design provides that all run-off from paved areas would be collected, and subject to attenuation prior to discharge to the Sluice River catchment / Forrest Little Stream. Discharge would be attenuated to the greenfield run-off rate for the original Sluice River catchment. Run-off from grassed areas will discharge to the Ward River catchment. The primary risk to water quality was identified as being run-off from paved areas following de-icing activities. The design therefore provides for continuous monitoring of water quality prior to attenuation. Where quality limit values were exceeded, flow would be diverted to a contaminated water holding tank and from there to the foul sewer.
- 7.4.4. An updated compliance document in respect of Condition no. 20, Technical Note 15, accompanied this application. That note reports that there will be an overall reduction in paved area and associated attenuation storage requirements as a result of this development. The principle variation to surface water design is that waters will now drain to two attenuation tanks from two catchments, instead of one tank as previously agreed. This requires the provision of an additional flow diversion chamber upstream of the additional attenuation tank, to avoid contamination of waters by de-icing agents. The note also identified that run-off from grassed areas within the site will also be now attenuated, further reducing run-off volumes from the site. Technical note 15 concludes therefore that there will be a reduced flood risk due to the reduction in paved areas and attenuation of flows from areas not previously subject to attenuation.
- 7.4.5. As part of the application for extension of duration of permission under ref. F04A/1755/E1, a 2016/17 Flood Risk Assessment was submitted (RPS). This found that there was an overall reduced risk of flooding risk as a result of the proposed works. At further information stage in the current application this flood risk assessment was subject to review and it was confirmed that the surface water drainage strategy would result in a reduction in run-off from the site, such that previously identified flood zones would not arise. As such there would be no conflict between the proposed development works and flood zones nor any increase in off-site flood risk.

7.4.6. The proposed amendments will result in an overall reduction in paved area on the site and the design aligns with the surface water drainage strategy previously agreed under condition on. 20 of PL06F.217429. There will not be any increased risk of flooding within the site or other downstream impacts. These design proposals are considered further in section 9.0 below.

7.5. **Alleged Unauthorised Development**

7.6. The appellants raise an issue with regard to works undertaken at Apron G and Apron H, which lie to the north of terminal building, between the buildings and proposed northern runway. Permission for certain works in this area is sought as part of this application, including the omission of three taxi-ways and passing bay in the area of Apron H. Within the area of Apron G, one permitted taxiway (P17) is to be relocated to the east. There are no other works in this area proposed as part of this application and I note that this area lies outside the current construction site.

7.7. I note that it is the role of the planning authority to identify and determine whether unauthorised works have been undertaken on the subject lands. Fingal County Council have advised that there are no active enforcement actions relating to works in this area and further, that works in this area have been subject to previous declarations under Section 5 and under Class 32 of Schedule 2, Part 1. In this regard, I note also that there is a current / live Section 5 referral case with the planning authority relating to works at Apron 5H under ref. PA ref. FS5/037/19. This area is identified in the current planning application drawings as "*Future North Apron 5H Rehabilitation and Extension Scheme*".

It is open to the appellants to request a further S.5 declaration in respect of certain specific works from the planning authority, however, I do not consider that issues fall to be determined by the Board in this case.

8.0 **Screening for Appropriate Assessment**

8.1. **Introduction**

- 8.1.1. The proposed development relates to amendments to the permitted North Parallel Runway, as described in section 2.0 above. The runway was originally granted planning permission in August 2007 and an extension of the duration of that permission was subsequently granted in 2017 until 2022. While the 2007 permission was the subject of EIA, neither the original application nor the extension of duration application was subject to Appropriate Assessment or to Screening for Appropriate Assessment. At the time of the application for extension of duration under PA ref. 04/1755/E1, works had commenced on the site. In that case the planning authority concluded therefore that the provisions of S.42(1)(a)(ii)(IV) in respect of Appropriate Assessment did not apply. That decision was the subject of judicial review proceedings in Merriman & ors -v- Fingal County Council & ors; Friends of the Irish Environment Clg -v- Fingal County Council & ors.
- 8.1.2. The subject planning application was accompanied by a Screening for Appropriate Assessment report which concluded that Stage II Appropriate Assessment was not required in respect of the proposed development. This assessment was subject to review by the planning authority and updated and amended by way of further information.

8.2. European Sites

- 8.2.1. The proposed development is not related to or necessary for the management of any European Site and there will be no land-take or direct loss of habitat within any Natura Site. European sites within 15km of the appeal site include the following;
- Malahide (Broadmeadow Swords) Estuary SPA 004025
 - Malahide Estuary SAC 000205
 - Baldoyle Bay SPA 004016
 - Baldoyle Bay SAC 004016
 - Rogerstown Estuary SAC 00208
 - Rogerstown Estuary SPA 004015
 - South Dublin Bay and River Tolka Estuary SPA 004024
 - North Dublin Bay SAC 00206
 - North Bull Island SPA 004006
 - Rockabill to Dalkey Island SAC 003000

- South Dublin Bay SAC 00210
- Irelands Eye SPA 004117
- Irelands Eye SAC 002193
- Howth Head SAC 00202
- Howth Head Coast SPA 004113
- Lambay Island SAC 00204
- Lambay Island SPA 004069
- Rye Water Valley / Carton SAC 001398

8.2.2. The applicant’s screening report notes that changes to the European network have taken place since the 2007 parent permission was granted, including the designation of the Rockabill to Dalkey Island SAC and changes to the boundaries and conservations objectives of existing sites. The report states that only those sites which lie in closest proximity to the appeal site will be potentially affected, namely

- Malahide (Broadmeadow Swords) Estuary SPA 004025
- Malahide Estuary SAC 000205
- Baldoyle Bay SPA 004016
- Baldoyle Bay SAC 004016

The Malahide (Broadmeadow) Estuary SPA and SAC lies approx. 3.7km northeast of the appeal site, while Baldoyle Bay SPA and SAC lies approx. 6km to the east. The report continues to assess the potential for effects on these sites, while other European sites identified above are not otherwise considered in the screening report.

8.2.3. Having regard to the information and evidence available the file and to the nature of the proposed development, and connectivity to the appeal site, this conclusion on the scope of European Sites potentially affected by the proposed development is considered to be reasonable.

8.2.4. The qualifying interests for these European sites are as follows:

Qualifying Interests	
Baldoyle Bay SPA	Baldoyle Bay SAC

<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) • Shelduck (<i>Tadorna tadorna</i>) • Ringed Plover (<i>Charadrius hiaticula</i>) • Golden Plover (<i>Pluvialis apricaria</i>) • Grey Plover (<i>Pluvialis squatarola</i>) • Bar-tailed Godwit (<i>Limosa lapponica</i>) • Wetland and Waterbirds 	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonizing mud and sand • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) • Mediterranean salt meadows (<i>Juncetalia maritimi</i>)
Malahide Estuary Broadmeadow SPA	Malahide Estuary SAC
<ul style="list-style-type: none"> • Great Crested Grebe (<i>Podiceps cristatus</i>) • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) • Shelduck (<i>Tadorna tadorna</i>) • Pintail (<i>Anas acuta</i>)] • Goldeneye (<i>Bucephala clangula</i>) • Red-breasted Merganser (<i>Mergus serrator</i>) • Oystercatcher (<i>Haematopus ostralegus</i>) • Golden Plover (<i>Pluvialis apricaria</i>) • Grey Plover (<i>Pluvialis squatarola</i>) • Knot (<i>Calidris canutus</i>) • Dunlin (<i>Calidris alpina</i>) • Black-tailed Godwit (<i>Limosa limosa</i>) • Bar-tailed Godwit (<i>Limosa lapponica</i>) • Redshank (<i>Tringa totanus</i>) • Wetland and Waterbirds 	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide <ul style="list-style-type: none"> ○ Salicornia and other annuals colonising mud and sand ○ swards (<i>Spartinion maritima</i>) • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) • Shifting dunes along the shoreline with (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes)*

8.2.5. The Conservation Objectives relating to these sites are:

- **Malahide Estuary Broadmeadow SPA &**
- **Baldoyle Bay SPA**

The objective is generally to maintain the favourable conservation condition of the qualifying interests in each site.

With regard to Population trend, the target is long term population trend stable or increasing, and in terms of distribution the target is no significant decrease in the range, timing or intensity of use of areas, other than that occurring from natural patterns of variation. For wetlands the target is that the permanent area occupied by the wetland habitat should be stable and not significantly less than the recorded area, other than that occurring from natural patterns of variation.

The full conservation objectives are available here:

<https://www.npws.ie/protected-sites/spa/004025>

<https://www.npws.ie/protected-sites/spa/004016>

- **Malahide Estuary SAC**

The objective is to maintain or restore the favourable conservation condition of the habitats and a set of attributes and targets are identified for each habitat in this regard. The full conservation objectives are available here:

<https://www.npws.ie/protected-sites/sac/000205>

- **Baldoyle Bay SAC**

The objective is to maintain the favourable conservation condition of the habitats and a set of attributes and targets are identified for each habitat in this regard. The full conservation objectives are available here:

<https://www.npws.ie/protected-sites/sac/000199>

8.3. **Potential Effects**

The applicant's screening assessment identifies that potential effects on these European sites may arise from:

- Impacts on mobile species which are qualifying species for the European sites and which may be present on the appeal site, particularly birds.
- Surface water run-off from the site entering watercourses draining to European sites.

I consider that the screening assessment undertaken is reasonable in terms of the identified scope and nature of potential impacts arising.

8.3.1. **Impacts on mobile species (Birds):**

Habitats on the appeal site are generally described in the Screening Report as being unattractive for bird species which are qualifying interests for the SPA's and it is noted that measures are actively implemented at the airport to discourage bird

activity thereon. The report presents the results of surveys and other records of bird activities at the airport, namely

- i) Surveys undertaken as part of the previous EIA process,
- ii) Records of bird strike incidents at the airport.
- iii) 2015-2016 pre-vegetation clearance breeding and winter bird surveys.
These site clearance works would have since reduced bird number and species diversity on the site.

Of the 35 species of conservation interest in the ten closest SPA sites, the Screening Report reports that only 9 no. species were recorded in the vicinity of the airport and that those species were recorded only in low numbers. The report concludes that the proposed amendments raise no likelihood of direct or indirect impacts on the qualifying species of the SPA network.

I note that the available survey data does not suggest that the overall site functions as an ex-situ foraging or roosting site for species of qualifying interest for European sites in the surrounding area. On this basis I consider that the proposed development is not likely to give rise to significant effects on the qualifying interests of those European Sites.

8.3.2. Hydrological pathways / Surface water run-off from the site:

Section 7.6 above outlines the surface water management system which is to serve the proposed northern runway.

The proposed amendments will result in a minor reduction in paved areas on the site, with an associated reduction in surface water run-off. The principle source of surface waters impacts is identified as potential contamination from de-icing activities on the runway. This aspect of the development was considered in the design of the surface water management system under PL06F.217429, which was subject to condition no. 20. It generally comprises a closed collection network discharging to a flow diversion chamber from where, depending on water quality monitoring results, either clean, attenuated run-off is discharged to a tributary of the Forest Little Stream or else contaminated waters are discharged to the foul drainage network for treatment. The Forest Little Stream flows to Baldoyle Estuary (SAC and SPA). Only

attenuated run-off from grassed areas of the site will discharge to the Ward River which drains to the Malahide Broadmeadow Estuary (SAC and SPA). No run-off from paved areas will discharge to the Ward River.

With regard to the receiving aquatic environment, the Screening Report submitted with the original planning application concluded that subject to adherence with:

- the surface water management plan &
- the Construction Environmental Management Plan,

associated with PL06F.217429, no likely effects (significant or otherwise) on the conservation objectives of Baldoyle Bay SAC would arise. Following queries from the planning authority on these conclusions, a revised Screening Report was submitted by way of Clarification of Further information.

The revised report notes that the proposed amendments will not impact on the operation of the surface water management system, which was agreed under Condition on. 20 of PL06F.2147429. There will be no increase, and may be a marginal reduction, in the volumes of surface water run-off from the runway and a commensurate reduction in the surface water associated emissions. Reduced paving area may reduce the amount of de-icing chemicals employed. The amendments will not lead to any additional pollutant load over and above what was envisaged in the original permitted development under PL06F.217429. They will not therefore result in any likely impact (significant or otherwise) on downstream European sites and no mitigation measures are therefore proposed as part of the amendments.

Section 6.3.7 of the Screening Report notes that the proposed amendments will result in the same or slightly reduced cumulative effects. There is therefore stated to be no potential for likely significant cumulative effects and the report concludes that it is not necessary to move to Stage II of the AA process.

8.4. Comments and Conclusions

- 8.4.1. Works on the north runway project are well advanced, including works on the surface water management system following agreement on design with the planning

authority under condition no. 20 of PL06F.217429. I note the reports and conclusions of the Consultant Ecologists for the planning authority on the AA screening process.

- 8.4.2. I note and generally concur with the conclusions of the applicant's Screening Report with regard to the European sites with potential to be affected by the proposed development and the nature of those potential impacts. The conclusion of no likely significant impacts on mobile species is considered to be reasonable.

With regard to hydrological impacts and potential effects on downstream European sites, I note the overall reduction in paved area arising from the proposed amendments and the commensurate reduction in potential run-off to adjoining watercourses. There is no change to the surface water management system proposed and agreed under Condition no. 20 of PL06F.217429, except for a reduction in the volumes of run-off entering that system. There is therefore an overall reduction in potential effects or risks to downstream European sites. In this regard it is considered that there is no likely significant in-combination effects with the existing permitted runway development on those sites.

- 8.4.3. I therefore concur with the conclusions of the applicant's Screening Report and of the planning authority. On the basis of the information submitted with the application and appeal, which I consider adequate in order to issue a screening determination, it is reasonable to conclude that the proposed development individually or in combination with other plans or projects will not be likely to have a significant effect on European sites Malahide (Broadmeadow Swords) Estuary SPA 004025, Malahide Estuary SAC 000205, Baldoyle Bay SPA 004016, Baldoyle Bay SAC 004016, or any other European site in view of the site's conservation objectives, and that Stage 2 Appropriate Assessment (and submission of an NIS) is no therefore required.

In reaching this conclusion I took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Site.

9.0 Recommendation

- 9.1. That permission be granted for the proposed development subject to the conditions set out below

10.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development, the planning history relating to the site and the separate regulatory regime governing airport design and operation, the policies and objectives of the Fingal County Development Plan 2017-2023 and national policy as set out in the National Planning Framework, the National Development Plan 2018-2027 and the National Aviation Policy for Ireland 2015, it is considered that the proposed physical amendments to the permitted development would be acceptable in terms of proper planning and sustainable development. It is further considered that subject to the conditions set out below the proposed development would not give rise to any unacceptable impacts on the amenities of the surrounding area or on traffic safety and convenience and would not present an unacceptable risk to water quality.

The Board noted that the proposed is not directly connected with or necessary for the management of any European Site.

In completion the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European Site which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects on these European sites in view of the site's Conservation Objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant effect on European site:

- Malahide (Broadmeadow Swords) Estuary SPA 004025
- Malahide Estuary SAC 000205
- Baldoyle Bay SPA 004016
- Baldoyle Bay SAC 004016

Or any other European site, in view of the site's Conservation Objectives.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 31st day of May 2019 and the 19th July 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 29/08/2007 under appeal reference number PL06F.217429, planning register reference number F04A/1755, as extended under planning authority reference number F04A/1755/E1, and any agreements entered into thereunder.

The appropriate period for the development shall concur with that of planning authority reference number F04A/1755/E1.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. Prior to commencement of operation of the proposed runway, final details of the height and profile of the proposed Earthworks Landscape Areas (ELAs) shall be submitted to and agreed in writing with the planning authority.

Reason: In the interests of visual amenity and to provide for the finalisation of navigational requirements and compatibility of the earthworks with such requirements.

4. Prior to commencement of operation of proposed runway,
 - a) final design details of all vehicular accesses, including Crash Gate entrances, from the public road;
 - b) the final design and layout, including height, of proposed Blast Fencing;
 - c) the final height of the proposed substation structures,shall be submitted to and agreed in writing with the planning authority.

Reason: In the interests of visual amenity.

5. Prior to commissioning of the proposed development, mapping of the 0.1% Annual Exceedance Probabilities for the site shall be submitted to and agreed in writing with the planning authority.

Reason: In the interests of public health and environmental protection.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual amenity.

Conor McGrath
Planning Inspector

16/12/2019