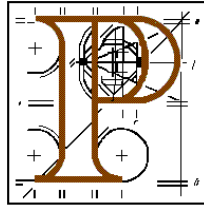


An Bord Pleanála



Inspector's Report.

Case Ref. No:	06F. PC0212.
Issue:	SID Pre-application – whether project is or is not strategic infrastructure development.
Proposed Development:	Repurposing of former flight simulator building for other aviation related uses e.g. aircraft maintenance and stores and minor ancillary works to the adjacent TASC building.
Location:	Dublin Airport, Co. Dublin
Applicants:	Dublin Airport Authority.
Planning Authority:	Fingal County Council.
Inspector:	Philip Green.

1.0 Proposed Development.

- 1.1** Dublin Airport Authority has submitted this request for a pre application consultation. Attached with the request was an explanatory statement and set of drawings illustrating the location and layout of the proposed development and analysing the development in the context of the legislative provisions of the Act as it relates to Strategic Infrastructure.
- 1.2** The proposed development is referred to as repurposing of the former flight simulator building for the purpose of other aviation related uses such as aircraft maintenance and stores. This repurposing will also require minor ancillary works to the adjacent Technical, Administration and Staff Catering (TASC) building. The description of the proposed development is set out as follows:
- Partial demolition of the former simulator building measuring c. 1,750 sq.m. and making good
 - Insertion of two new floors of c. 662 sq.m. (total) into remaining section of building
 - Ancillary works incorporating demolition of plant room, new plant at ground floor and roof of TASC building and extension of fire escape stairs to ground floor of TASC building and enclosure of stairwell at ground floor
- 1.3** The prospective applicant notes that the flight simulator building was constructed in the 1960's as a pilot training facility. It was consequently extended in 1998 (ref F98A/1207). The original section of building has exceeded its serviceable life and is no longer in use. Surveys of the building has established the presence of asbestos and this will be removed safely. As a result of the removal of the flight simulators the remainder of the building has been vacated and is not currently in use. The new floorspace would enable the reuse of the remaining portion of the building which is currently a void space for other aviation uses but would not be used as a facility to accommodate passenger or cargo traffic. The demolished structure will not be rebuilt rather it will facilitate a realignment of the airside security fence and will operate as an area for the distribution of vehicles and equipment on the airside to complement the repurposing of the remainder of the building. The three storey office structure will not be affected by the proposed development and will continue to be used for its existing purpose. The development will have minimal impact on the adjacent TASC building other than installation of plant at ground and roof levels.
- 1.4** The applicant makes submissions that the proposed development is not exempted and that planning permission is therefore required although the realignment of the airside/landside boundary would itself be exempted under the provisions of Class 32(d). Although exempted these works are described for completeness. It is also submitted that the proposed development would comply with the provisions of

Objective EE49 of the Fingal County Development Plan 2011 – 2017 and Zoning Objective DA to ensure for the efficient and effective operation of the airport. It is stated that in the now expired Dublin Airport LAP 2006 the zoning objectives for the site would support apron related development which include cargo, aircraft maintenance, fuel farm and general aviation.

2.0 Applicant's case.

2.1 Dublin airport is Ireland's busiest airport and predicted for 2015 that passenger numbers will approach 25 million. It is therefore a facility specified in Seventh Schedule.

2.2 Proposed works not considered strategic in nature and provide 'apron related development' which includes for aircraft maintenance and general aviation. It would not provide any new critical infrastructure nor would it increase permitted passenger capacity rather works would comprise minor works to an existing structure that would be ancillary to the primary function of the overall airport operation.

2.3 Proposed development in itself and cumulatively would not contribute substantially to the fulfilment or objectives in the National Spatial Strategy or Regional Planning Guidelines as proposals will not deliver any new significant infrastructure at the airport.

2.4 Proposed development individually and cumulatively would not have a significant effect on the area of more than one planning authority. It is not therefore considered that the proposed development constitutes strategic infrastructure.

2.5 It is noted that the Board has previously determined that development including demolition and upgrade works to existing buildings at the airport does not constitute strategic infrastructure. This includes 06F PC0127 and PC0191. In addition development of a new hangar and extension to an existing hangar were not deemed strategic infrastructure under references PC0145 and PC 0094 (files attached for Board's information).

3.0 Legal Provisions.

3.1 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).

- 3.2** 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.*

4.0 Assessment.

- 4.1** 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.
- 4.2** Notwithstanding the above I am not convinced however that the component elements of the proposed development is of such scale, purpose, function and significance to be either ‘strategic’ or ‘substantial’ in the sense construed and required by Section 37A(2)(a) and (b) to justify SI status. Neither do I consider that Section 37A(2)(c) is applicable to this case. I consider that the proposed development as described in the submissions 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.
- 4.3** There have been a number of other similar pre application consultation requests for development not deemed to be strategic infrastructure at Dublin Airport (and other airports such as Shannon). These are included on the list attached to the Board’s file.

Recommendation.

I recommend that the Dublin Airport Authority be informed that the proposed development consisting of repurposing of former flight simulator building for other aviation related uses e.g. aircraft

maintenance and stores and minor ancillary works to the adjacent TASC building at Dublin Airport, Co. Dublin as set out in the plans and particulars lodged with the Board on the 16th December 2015 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.

Philip Green,
Assistant Director of Planning.
23rd December 2015.