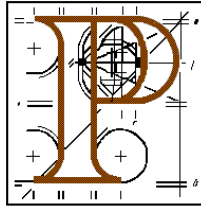


An Bord Pleanála



Inspector's Report.

Case Ref. No: 06F.PC0222

Issue: SID Pre-application – whether a project is or is not strategic infrastructure development.

Proposed Development: Pre-Boarding Zone Building at South Apron

Location: Dublin Airport, Co. Dublin

Applicants: Dublin Airport Authority PLC.

Planning Authority: Fingal County Council.

Inspector: Kevin Moore

1.0 Proposed Development

- 1.1** The proposed development would comprise a Pre-Boarding Zone (PBZ) in the South Apron area of Dublin Airport. This would constitute a waiting area that would enable passengers to then walk directly to a waiting aircraft and could also be used in reverse for arriving passengers. Planning permission is being sought on a temporary basis due to the urgent need to accommodate the facility. A temporary permission of five years would be sought to allow Dublin Airport Authority time to consider more permanent arrangements.
- 1.2** The facility would be in the form of a single-storey structure with a floor area of c.2,200 square metres. Passengers would be processed as normal in the terminal buildings and would be bussed to the PBZ. Ancillary development would include the relocation of a bond road and an airside / landside boundary, the provision of segregated walkways to adjacent aircraft stands, and ancillary development works above and below ground. It is submitted that the development would improve airline turnaround times and on-time performance. It is further submitted that it would also rationalise bus movements on the apron by providing a single continuous loop to a dedicated set-down area and that it would also free up Pier 4 for its intended use, for use by wide-body craft.
- 1.3** The site for the proposed development is on the South Apron at the airport, which is located to the east of Terminal 2. The South Apron is surrounded to the west and south by adjacent apron areas and to the north by cargo buildings.

2.0 The Applicant's Case.

- 2.1** 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. It is submitted that the proposed development would comprise the provision of a temporary facility to accommodate departing passengers and facilitate non-contact stands on the South Apron to operate as contact stands. It is stated that the proposed development would not increase capacity and is aimed at facilitating on-time performance.
- 2.2** It is maintained that the proposed development could not be considered to be of strategic economic or social importance to the Greater Dublin area or the State, that it would not contribute substantially to the fulfilment of any National Spatial Strategy or Regional Planning Guidelines objectives,

and that, due to its size, scale and temporary nature, would not have an impact on the area of more than one planning authority.

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 planning guidelines 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 first submit that a pre-application consultation meeting is not required in order for the Board to make a determination on this application. The details contained in the applicant's submission to the Board are considered adequate in order to undertake an assessment and to draw a conclusion on the request without the need for such a meeting.

4.2 Further to this and with regard to the Seventh Schedule of the Act, I consider that the proposed development of a Pre-Boarding Zone at the

South Apron would constitute a facility or other installation associated with an airport with not less than 2 million instances of passenger use per annum.

- 4.2** I note that the nature, scale, and function of the development are such that they seek to enhance the passenger experience at the airport and I understand the function is to improve airline turnaround times and on-time performance, to rationalise bus movements on the apron, and to free up Pier 4 for its intended use. It is also understood that the development would not result in increasing the capacity of the airport
- 4.3** The proposed 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. Indeed, I particularly note the proposal's temporary nature, its limited scale and restricted function. Thus, 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 Spatial Strategy 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 Dublin Airport. It is reasonable to conclude also that the proposal would not have a significant effect on the area of more than one planning authority.
- 4.3** 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 and PC0208 refers. It could be construed that the accumulation of such proposed developments could potentially cumulatively 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, has no impact on passenger capacity at the airport, and is of a temporary nature, 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.

Recommendation.

- 5.1** I recommend that Dublin Airport Authority be informed that the proposed development consisting of a pre-boarding zone for passengers at South Apron 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.

Kevin Moore
Senior Planning Inspector.
July 2016.