



An
Bord
Pleanála

Inspector's Report

Case Ref. No:	04. PC0247
Issue:	SID Pre-application – whether project is or is not strategic infrastructure development.
Proposed Development:	Proposed erection of a portacabin in association with car rental operations.
Location:	Cork Airport, Co Cork.
Applicants:	Ryan's Investments.
Planning Authority:	Cork County Council.
Inspector:	Philip Green.

1.0 Proposed Development.

- 1.1 The prospective applicant seeks to install a portacabin with overall size of 2.4m. x 1.8m. x 2.865m. The portacabin is to be located in an existing car park to allow the car park to be manned. It will be a permanent structure with lighting and heating and utilising a parking space. The prospective applicants indicate that the site is in the ownership of the DAA who have agreed to provide a letter giving permission for the application to be made.
- 1.2 Site location, layout, aerial photograph and proposed floor plan and elevations for the above are submitted with the request.

2.0 Applicant's case.

- 2.1 Application relates solely to the erection of a small portacabin. It does not fall under any of categories identified in Section 37A(2) and is not therefore strategic development.

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:

Transport Infrastructure

2. 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).

- 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 the development would be situated,
(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 the development proposed can be classified as development comprising or for the purposes of a facility or installation associated with an airport with not less than 2 million instances of passenger use per annum.
- 4.2** This is a small ancillary building for purposes incidental to activities at the airport (car hire). However I consider that the proposed development given its limited scale, nature and extent would, in itself, not satisfy any of the conditions contained in section 37A (2) (a), (b) or (c) of the Act. Therefore, I conclude that this proposed development does not constitute a strategic infrastructure development. I refer the Board to other airport cases where the Board has considered such ancillary buildings and uses and concluded that the development proposed did not constitute strategic infrastructure requiring an application direct to An Bord Pleanala. Files attached include 03. PC0229, 06F PC0212, 03. PC0193, 03. PC0183, 06F. PC0145, 04. PC0188 (for relocation of the fire training facility at Cork Airport) and 04. PC0240.

5.0 Recommendation.

- 5.1** I recommend that the prospective applicants, Ryan's Investments be informed that the proposed development at Cork Airport consisting of the proposed erection of a portacabin in association with car rental operations as described in the plans and particulars received by An Bord Pleanala on 3rd July 2017 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 consequently does not constitute strategic infrastructure development. A planning application should be made in the first instance to Cork County Council.

Philip Green,
Assistant Director of Planning.
18th July 2017