

File With

## SECTION 131 FORM

Appeal No

ABP— 317828-23

Defer Re O/H

☐

Having considered the contents of the submission dated/received 13/09/2023  
from Irish Air Line Pilots Association I recommend that section 131 of the Planning  
and Development Act, 2000 be not be invoked at this stage for the following reason(s):

no new material issues

Section 131 not to be invoked at this stage.

☒

Section 131 to be invoked — allow 2/4 weeks for reply.

☐

Signed

Pot Ben

Date

22/09/2023

EO

Signed

Date

SEO/SAO

M

Please prepare BP ..... — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

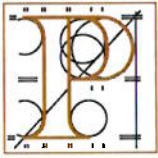
Date

EO

Signed

Date

AA



An  
Bord  
Pleanála

## Planning Appeal Online Observation

### Online Reference

NPA-OBS-002419

LDG - 066539-23

### Online Observation Details

Contact Name  
Katerina Prazakova

Lodgement Date  
13/09/2023 13:21:18

Case Number / Description  
317828

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Owen Kelly

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required



Yes — P.T.O.



N/A — Invalid

Signed

*Pate Buer*

EO

Date

19/09/2023

18/08/23 : 14/09/23 ✓

BP40 to issue

Issued 20/09/2023 ANN



# Irish Air Line Pilots' Association

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*Representing pilots since 1946*

13<sup>th</sup> September 2023

The Secretary  
An Bord Pleanála  
64 Marlborough St  
Dublin 1  
D01 V902

**ABP Ref: ABP-317828-23**

**FCC Ref: F23A/0301**

**Observation: US CBP (Customs Border Protection) extension and SASC (South Apron Support Centre)**

Dear Sir/ Madam,

Safety & Technical acknowledge the decision of FCC to REFUSE permission to F23A/0301.

FCC Position:

Cognisant of the DAA 2020+ CIP (Capital investment programme) objectives to 2026, FCC no doubt chose to focus on the natural macro issue facing Dublin Airport – Surface Access.

Whilst the DAA focus is naturally on DA zoned land, FCC's refusal sends an unambiguous clear signal to the DAA shareholder - Eastern Airport Campus capacity extension beyond 32mppa (already breached by 0.9mppa in 2019) cannot be entertained without enhanced improvements to the surrounding road network.

Indeed the August 2018 Oxford Economics/ CEPA Report into the "Review of future capacity needs at Ireland's State Airports" premised its findings on "subject to surface access issues" being resolved.

S&T Position:

In our FCC observation (attached) we chose the more subtle micro issue – "the cart before the horse" i.e. where is the proposed IAG Pier 5 being developed?

The Issue:

Whether ABP combines the macro and the micro, or treats either as separate issues the focus most certainly is on the T2 Phase 2 site.

This is particularly pertinent as the DAA's 2030 objective is to increase Eastern campus terminals passenger capacity limit by 25% (32mppa to 40mppa). This passenger processing compaction will apparently be absorbed within T1 & T2 existing footprints.

Indeed the fate of T2 phase 2 is outlined in the First party appeal at section 3.3.3 whereby the DAA agent states ***"This extension is no longer being proposed. Instead, a south-easterly extension to the existing CBP facility in Pier 4 is now being proposed."***

By deduction in essence, the current DAA Terminal expansion masterplan shall occur (if permitted) via bulging piers whilst absorbing precious convenient aircraft contact stands.

#### **S&T Observations to the First Party Appeal:**

##### **1. DAA Cover Letter**

The DAA Senior Planner, Infrastructure states:

***"daa requests An Bord Pleanála assess the application as it is proposed in the application documents, i.e. an extension to CBP and associated works and no increase in passenger capacity"***

In the First party appeal the DAA agent hammers home the mantra and assurances of *"no increase in passenger capacity"*. Therefore if ABP were minded to accept both DAA's and its agent's assurances, and in order to allay FCC capacity concerns, ABP could simply condition the removal of the Proposed floor Plans L20 and L30 (CBP extension Application Design Statement P42 & P43.)?

However the fact remains that the modus operandi of the relocated 409C stand significantly diminishes the "secondary hub" passenger experience. We suspect that no other European peer Airport hub would contemplate bussing 310 plus passengers for "a period up to 10 years" to a temporary Trans-Atlantic aircraft hard stand. (Ref RIBA 2 "Airfield Design Report" Sec 1.2 Airfield Scope and 3.1.1 Temporary Stand 409 Operations.)

##### **2. Contingency submission**

FCC are aware of the DAA 2020+CIP (Capital Investment Programme) with associated tentative plans to seek a "relevant action" application to increase Eastern Campus passenger terminals capacity.

Whilst the DAA agent won't admit that this application is future proofed to connect to a Pier 5 on the T2 phase2 site. ABP could possibly give long term clarity to the DAA and FCC (by way of a contingency condition) in that T2 Phase 2 footprint is clearly declared protected for future Terminal (as opposed to pier) expansion.

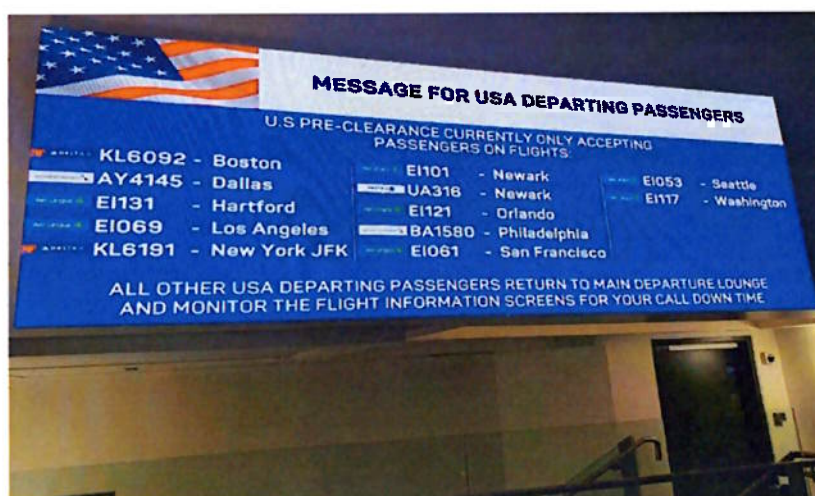
With such a caveat/condition in place we doubt that this unnecessary CBP extension would ever be built as it would not meet the requirements of IAG. Protecting the T2 Phase 2 site ensures no further apron compaction to the existing congested South Apron.

If both were told, this caveat would be a welcome relief for Pilots, passengers and ATC Ground controller's trying to co-ordinate aircraft movements within the South apron cul-de-sac.

### 3. Current CBP facility

As stated and openly acknowledged in our observation to FCC, the US CBP and TSA facility had chronic and dangerous compaction issues in 2019.

However, now that the April 2023 TSA screening trial has been stress tested in the busy summer 2023 season we can once again compliment the DAA and US CBP officials for adopting the new TSA security processing requirements with enhanced FIS (Flight Information Screens) and main terminal signage (Fig 1 Below).



**Fig 1** Visual proof of the long overdue controlled passenger flow into the CBP facility which now eliminates the historical panicked rush to clear the US CBP facility.

(Note: In this appeal the DAA and its agent have failed to acknowledge the new TSA screening procedures adopted in April 2023.)

We refer ABP to page 60 of the FCC Managers Order. "Issues raised in third party observations/submission".

Whilst FCC dealt with the Macro issue of surface access, information sought by us by way of RFI's were not progressed by the planning authority "at this stage".

However if a response were pursued at appeal stage then it could enable the Bord Inspector to issue a determination that's in the interest of proper planning and sustainable development of the area.

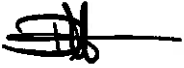
### 4. SASC South Apron Support Centre

The first party appeal document states at 1.3 that in Mar 2023 *"the applicant sought a further pre planning meeting , due to the later addition of the SASC"*.

The agent gives further clarity in the appeal document by declaring that when constructed this SASC facility, shall be a "Landside" facility.

Given the sparse information to date we are, no more like FCC still at a loss as to the SASC function?

Sincerely,



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David Morrissey  
Director Safety & Technical  
2.4

Attached

S&T Observation to the FCC planning Authority: F23A/0301

**Appendix A**

S&T Observation to FCC dated 30<sup>th</sup> June 2023.

30<sup>th</sup> June 2023

Fingal County Council  
Planning and Strategic Infrastructure Department

**Re: Planning Ref: F23A/0301. US CBP Extension and SASC**

Dear Madam/Sir,

Safety & Technical wish to make the following observation in relation to F23A/0301.

This application incorporates two elements:

- 1) A repurposed former Flight kitchen conversion to a South apron support center (SASC).
- 2) An extension to the existing US CBP facility at Terminal 2 Pier 4.

**1. South apron support center (SASC)**

Ref: ATKINS EIAR section 10.4.2 (Page 148) "South Apron Support Centre" states:

***"The building will revert to a commercial rental on completion of the airport construction works"***

In order to prevent unauthorized Airside access or to prevent people or contraband smuggling to Landside, the status of the Airside CPSRA (critical part of the security restricted area) is of paramount importance.

S&T request that FCC seek additional information (RFI) detailing the Airside CPSRA demarcation line before, during, and on completion of the "airport construction works". Any phased alteration of the CPSRA should be clearly illustrated on maps.

***"Visitor parking" and bicycle storage facilities*** are generally associated with Landside - yet the SASC combines a canteen, extensive offices and welfare / shower facilities.

Clarity is required, what workforce shall use this "commercial rental" SASC building? Is it a dedicated Landside facility for all airport apron workers or are current airline and DAA airside office/facilities being repurposed and relocated landside?

An RFI would clarify if current airside offices used by DAA and airline staff supplements the proposed SASC or as stated is it intended to replace current airline airside facilities by relocation same to landside?



## **2 US Customs Pre-Clearance and border Protection (CBP) facility**

### **2.1 Introduction**

S&T respectfully state that the May 2023 Coakley O'Neill "Planning Statement" Report is outdated.

The planning statement states at:

### **7.3 Need for the proposed Development**

***"The existing CBP facility currently experiences chronic congestion and requires immediate expansion to accommodate the current number of people taking advantage of the facility to pre-clear US immigration at Dublin Airport...."***

However, this "Need " does not accurately reflect the real world US TSA and CBP facility experience by DAA staff since 4<sup>th</sup> April 2023.

FCC are aware that DAA plan to eliminate wide bodied aircraft contact stand 409C. The DAA also plan taxiway R widening works (CIP.20.03.074) which eliminates another Pier 4 wide bodied aircraft contact stand (404C). Therefore, the requirement to expand the current CBP facility within the existing 32mppa cap is dubious.

Ref: ATKINS EIAR section 10.4.3 (Page 148) Custom and Border Protection (CBP) states:

***"The existing US Customs and Border protection facility is located at Pier 4 adjacent to Terminal 2 in Dublin Airport and is becoming congested. Thus, it requires expansion in order to accommodate the use of the CBP facility by current passenger numbers. The project scope requires the construction of the new extension to the CBP to be constructed while always maintaining current operations"***

Should now read.....

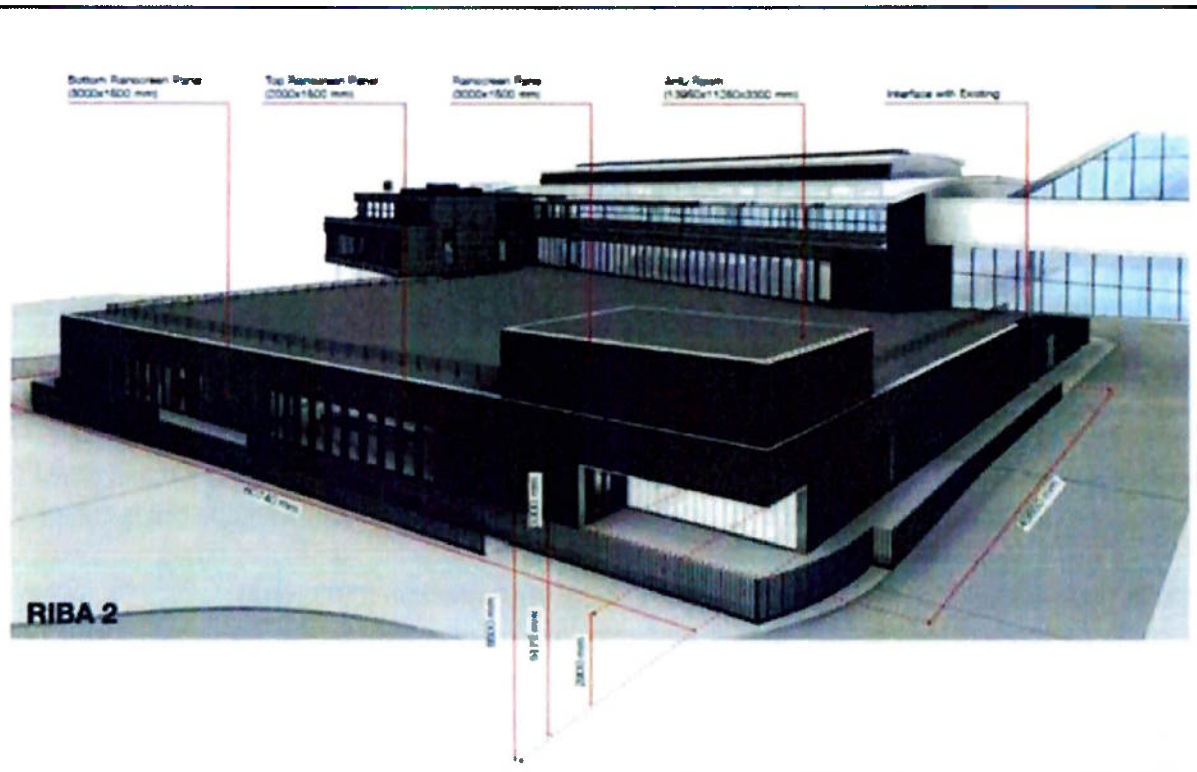
**The existing US Customs and Border protection facility located at Pier 4 is no longer congested. A radical change to TSA security screening policy combined with controlled passenger flows to the facility via improved Terminal FIS (Flight information Screen) information is proving transformative.**

We assert the above statement and quote an internal airline memo dated 03/4/23 "Following consultation and regulatory clarification obtained from DOT/IAA and the TSA. On Tuesday 4<sup>th</sup> April 2023, DAA are launching a trial, such that passengers originating in DUB will not be security checked in the TSA checkpoint in the pre-clearance area."

Subsequently, S&T have spoken to front line DAA staff working in the current Pier 4 TSA and CBP facility to validate the trialled regime.

We can confirm that the new procedure has resulted in no overflow queueing within Pier 4 and that the historical queues and congestion have been eliminated.

Therefore, it's accurate to state that the current facility does meet the requirements of T2 and DAA requirement to expand this facility to the basic RIBA 2 standard (EIAR main Vol 1 page 41 of 279) at Fig 1 is therefore not "urgently required".



**Figure 3-4 – RIBA 2 Design Layout**

**Fig 1.** The expanded ground floor RIBA 2 design (eliminating existing contact stands) is not required to meet current passenger numbers.

## 2.2 Existing Pier 4 CBP facility.

The revised April 2023 TSA security and CBP trial allows passengers to relax and spend more time to avail of main terminal retail and F&B ( Food and Beverage) facilities. Duplicating these at the expense of losing apron and contact stands seems counterproductive?

Historically, passengers had to dash through initial airside security - thereafter overcome TSA security and the CBP process to end up being uncomfortably and dangerously compacted at ground floor level, within Pier 4.

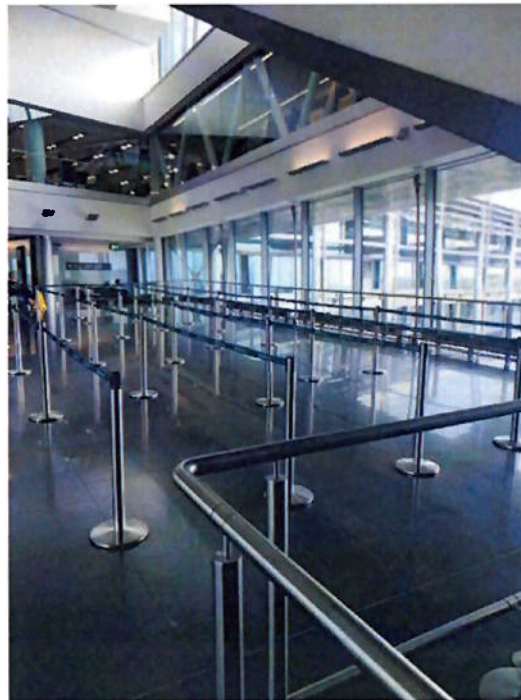
The progressive DAA CEO, Heads of DAA security and US TSA /CBP are to be complimented for bringing this long overdue trial that overhauls US TSA and CBP passenger screening.

Recently installed Landside/ airside and passenger transfer security "body scanners" have essentially altered the landscape.

Consequently, the current area allocated to TSA screening prior to CBP can be radically reduced and thus provides adequate opportunity to repurpose the existing ground floor to facilitate additional CBP officer booths thus further improving and reducing the overall CBP processing time.

To substantiate our claims we request:

- That FCC issue a RFI in order to clarify the different US passenger processing and queueing within the TSA and CBP facility in June 2022 compared to June 2023.
- That the FCC planning officer chooses a random day with minimal notice in order to personally view the new TSA / CBP process and validate the improved passenger processing.



**Fig 2.** 1140am Historical overflow queue lanes (prior to entering the US CBP) are no longer required.

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**U.S. Departing Flights 11:16**

Departure gates are displayed after U.S. Preclearance

11:00 New York JFK	American	B6605	Gate Closed
11:15 Charlotte	Delta	E17115	Gate Closed
11:35 Chicago	American	E1123	Gate Closed
11:35 Chicago	American	UA981	Gate Closed
11:45 Boston	American	B6653	Go to US Preclearance
12:15 Washington	American	UA229	Go to US Preclearance
12:35 Washington	American	E1117	Go to US Preclearance
12:50 San Francisco	American	E1081	Go to US Preclearance
13:05 Newark	American	E1101	Go to US Preclearance
13:15 Boston	American	KL6092	Go to US Preclearance
13:35 Newark	American	UA318	Go to US Preclearance
13:55 Philadelphia	American	BA1580	US Preclearance Opens 11:30
14:10 Orlando	American	E1121	US Preclearance Opens 12:00
14:10 Hartford	American	E1131	US Preclearance Opens 11:30
14:55 Dallas	American	E17113	US Preclearance Opens 12:00
15:10 Seattle	American	E1053	US Preclearance Opens 12:30
15:10 Los Angeles	American	E1089	US Preclearance Opens 12:30
15:30 Cleveland	American	E1067	US Preclearance Opens 13:00
16:10 Washington	American	E1119	US Preclearance Opens 13:00
16:20 Philadelphia	American	E1115	US Preclearance Opens 13:30
16:40 Chicago	American	E1125	US Preclearance Opens 13:30
16:45 New York JFK	American	B6607	US Preclearance Opens 14:00





**Fig 3.** FIS's in the main T2 terminal now control timed orderly passenger flows into the CBP facility

### 2.3 The Expanded US CBP requirement?

With a reduced requirement for TSA screening floor space, S&T have demonstrated that the current facility can easily expand CBP officer booths.

However, IAG (International Airlines Group) have a requirement to further develop and expand the transatlantic "secondary hub" at Dublin Airport.

The IAG preference is to develop within the South Apron whilst S&T preference is to progress and banish wide bodied aircraft from the Eastern Campus.

Our objective shall enable the DAA to redevelop existing ageing Pier's 2 & 3 to Code C aircraft standard and shall (prior to the introduction of Metrolink) permit existing Terminals footprint expansion (e.g.T2 phase 2) to cater for passenger expansion beyond 32mppa.

The DAA Satellite Pier option offers greater "Secondary Hub" expansion opportunities with adequate wide bodied aircraft contact stands that facilitates enhanced direct services to new markets and allows the DAA to expand long haul competition which offers additional passenger choice.

In some respects the proposed expansion of the US CBP facility at F23A/0301 is akin to putting "the cart before the horse" because clarity is required as to where IAG is permitted to locate its Pier 5 within the South apron.



As this planning application incorporates future passenger links, it's legitimate to query their function in relation to a Pier 5.

Essentially, guidance (no doubt sought by all in an RFI) shall give clarity and determine if FCC eventually seeks to protect the Terminal 2 Phase 2 expansion site or permit IAG Pier 5 to thwart same.

Therefore, an appropriate RFI should request:

- What contact stands shall be served (within the South Apron) when the future proofing sections of F23A/0301 (with links into T2 departures and immigration) become fully operational?
- Shall IAG's proposed Pier 5 footprint restrict T2 Phase2 development?



Fig 4. The F23A/0301 Final Design, a future proofed US CBP facility encroaching apron space and lacking indicative connection to IAG Pier 5.





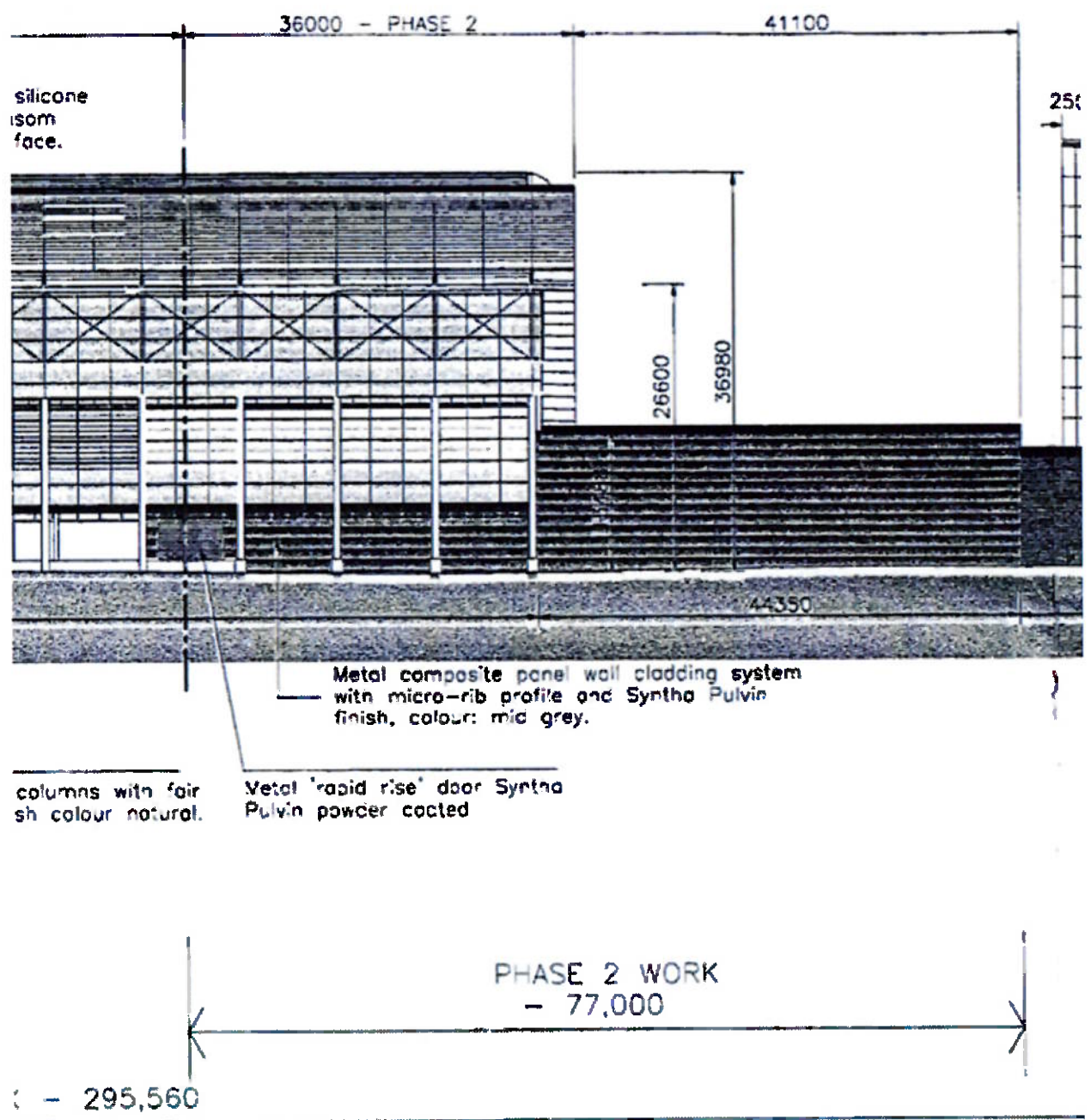
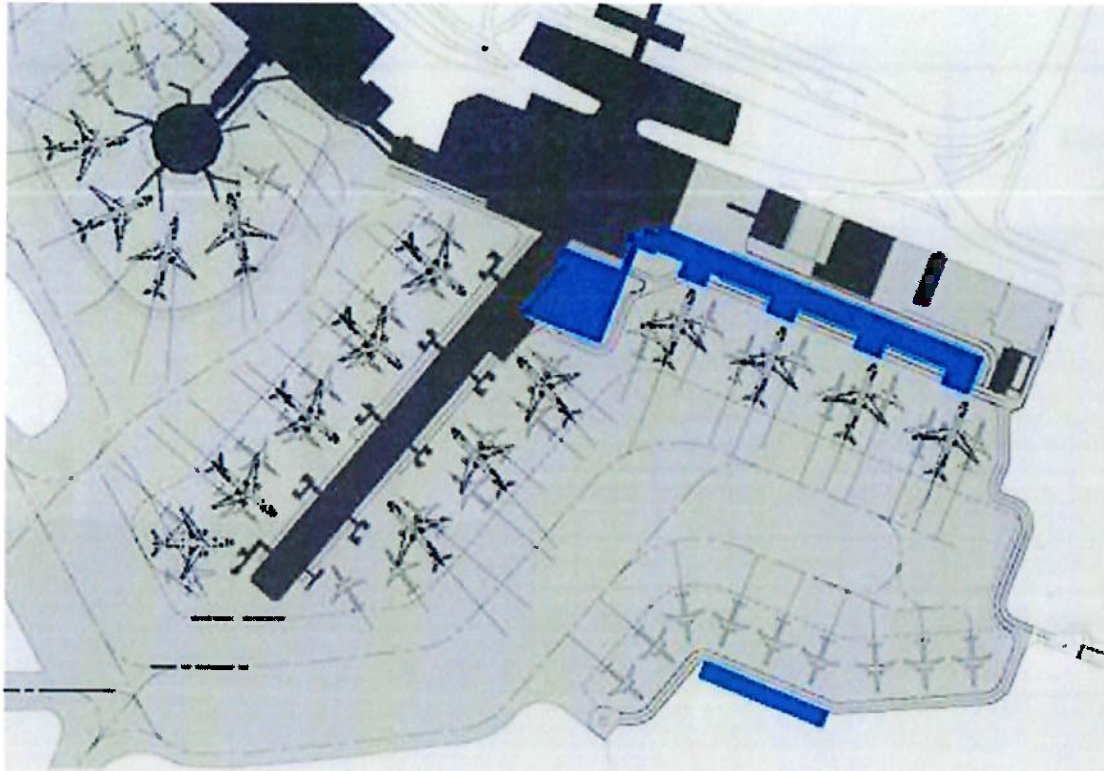


Fig 7. Terminal 2 Phase 2 South Elevation.



**Fig 8.** IAG aspirations for the South Apron with unresolved dubious: stands, taxiways, jet blast issues and a relocated South Gates PBZ close to the 28L-10R flight strip, approach and public safety zone.



### 3.0 Conclusion

We have demonstrated that the current US CBP facility no longer suffers from congestion issues. The current facility is more than sufficient for the 32mppa cap.

This watershed application absorbs current contact stand apron space, duplicates main terminal facilities and adds further compaction of the south apron.

In a nutshell S&T ask (in the interest of proper planning and sustainable development of the area) that FCC protect and preserve Terminal 2 Phase 2 footprint for terminal expansion.

Otherwise, notions of increasing the Airport Terminal Capacity cap from 32mppa to 40mppa may prove elusive when justifying same to ABP.

In order to protect future development - The DAA, charged with protecting the National gateway, has a stark choice - either allow a private airline consortium thwart Terminal T2 phase 2 expansion or resign itself to the fact that base airlines requirements effectively controls airport development.

Sincerely,



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David Morrissey

Director Safety & Technical