Normal Planning Appeal

New Case Form

Case Number	Case Priority	Case Lodged On	Case EO	PA Reg. Reference
PL-500739-DF-26	Normal	05/02/2026	James Sweeney	FW25A/0480E

Case Details

Planning Authority
Fingal County Council

PA Reg. Reference
FW25A/0480E

Summary Description
Four aviation-related cargo handling units with ancillary office space. EIAR submitted with application

Site Location
Lands within the townland of Huntstown, Swords, Co. Dublin, The subjec

Planning Authority Notification Details

Notified On	Notified By	PA Contact	By Email	By Phone
09 February 2026	James Sweeney	Planning & Property Development	■	☐

Comments
—

Correspondence Details

Correspondence Type	Received From	Lodged On	Validity	Valid OH Req
1st Party Appeal	D.A. Terminal 3 Limited	05/02/2026	Valid	No

Issue	Participant	Representative
BP01 —	D.A. Terminal 3 Limited	CWPA Planning and Architecture

Response Date Applicable	Number of Days Allowed	Keep Copy of Letter	Return Docs	Keep Envelope
☐	—	■	☐	☐

Comments
—

Issue	Participant	Representative
Digital BP07 — English	Fingal County Council	—

Response Date Applicable	Number of Days Allowed	Keep Copy of Letter	Return Docs	Keep Envelope
■	28	■	☐	☐

Comments
—

New Case Activities

Label Pouches	Create Hard Copy File	File Cover
☐	☐	

Comments
— Upload EIAR to J. Drum

Normal Planning Appeal

New Case Form

Case Number	Case Priority	Case Lodged On	Case EO	PA Reg. Reference
PL-500739-DF-26	Normal	05/02/2026	James Sweeney	FW25A/0480E

Filing

Attach to File

☐

Return to EO

☐

Signatures

Signed

James Sweeney, Executive Officer

Date

09/02/2026

Signed

Darragh Burke, Administrative Assistant

Date

9/2/26

Correspondence Coversheet

Payment ID: **FEE-PAY-001600**

An Coimisiún Pleanála

1 V Ref

Section:	Processing
PA Name:	Fingal County Council

Submission Reference:	FW25A/0480E

Decision 9/1/26 5/2/26

Date:	05/02/2026
Name:	D.A Terminal 3 Ltd.
Total:	€3,000.00

Attachments/Comment:	—

Created By:	Scott Moss
Channel:	By Hand

EIAR

AN COIMISIÚN PLEANÁLA
LDG- _____
ACP- _____
05 FEB 2026
Fee: € 3000 Type: Card
Time: 3:48 By: Hand

An Coimisiún Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name	D.A. Terminal 3 Ltd.
(b) Address	Omega House, Collinstown Cross, Swords Road, Collinstown, Co. Dublin, K67W8X8

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name	CWPA Planning & Architecture
(b) Agent's address	Penthouse Offices, Third Floor, Broadmeadow Hall, Applewood, Swords, Co. Dublin, K67YF52

Postal address for letters

3. During the appeal we will post information and items to you **or** to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1	☐	**The agent at the address in Part 2**	✓

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

Fingal County Council

(b) Planning authority register reference number

(for example: 18/0123)

FW25A/0480E

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Lands within the townland of Huntstown, Swords, Co. Dublin. The subject site fronts onto the R108 to the east.

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

CWPA Planning and Architecture has been appointed by our client, D.A. Terminal 3 Ltd. (the Appellant), to submit a First Party Appeal to An Coimisiún Pleanála (ACP) against the decision of Fingal County Council to refuse permission under Planning Register Reference FW25A/0480E.

The purpose of this First Party Appeal is to demonstrate that the proposed development constitutes sustainable development and that the decision of Fingal County Council should be overturned, with planning permission granted by An Coimisiún Pleanála.

This appeal is supported by a comprehensive suite of technical reports and expert assessments prepared by appropriately qualified consultants. Collectively, the appeal documentation demonstrates that the proposed development is consistent with, and supported by, national, regional, and local planning policy; that it will not prejudice the orderly operation, safety, or long-term strategic growth of Dublin Airport, including future terminal or access requirements; and that the environmental assessments submitted are robust, proportionate, and sufficient to enable a complete and legally compliant assessment of the proposal.

The appeal is accompanied by the following documents:
- Cover Letter (CWPA)
- First Party Appeal Statement (CWPA)
- Independent Aviation Review (Sergio Alegre Calero)
- Ecology and Appropriate Assessment Technical Clarification (MWP)
- Transport and Engineering Response (Waterman Moylan)
- Road Safety Audit – Stage 1
- Wastewater Treatment Plant and Percolation Response (Mitchell Environmental)
- Drawing 1939 – Rev J – DWG07: Proposed Retained and Removed – Warehouse (RMDA)
- Drawing 1939 – Rev J – DWG01: Landscape Masterplan – Warehouse (RMDA)

It is further submitted that the matters raised by Fingal County Council have either been comprehensively addressed within the appeal submissions and accompanying expert evidence or are capable of being satisfactorily managed by way of standard planning conditions and/or the statutory further information procedures available to the Commission. Accordingly, the stated reasons for refusal are not substantiated.

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

In this context, the appeal will demonstrate that the refusal of permission is not consistent with prevailing Government policy and guidance relating to the aviation and air transport sector, which is recognised as a critical enabler of national and regional economic development. Particular regard is had to the National Aviation Policy, the Regional Spatial and Economic Strategy, the Dublin Airport Local Area Plan 2020 (as extended), and the Fingal Development Plan 2023-2029.

Supporting material

6. If you wish you can include supporting materials with your appeal. Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Commission to hold an oral hearing on your appeal, please tick the "yes, I wish to request an oral hearing" box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the "No, I do not wish to request an oral hearing" box.

Yes, I wish to request an oral hearing ☐

No, I do not wish to request an oral hearing ☑

CWPA

Planning & Architecture

Penthouse Offices, Third Floor,
Broadmeadow Hall, Applewood,
Swords, Co. Dublin, K67 Y5F2.
Phone: 01-6856616
email: info@cwpa.ie
web: www.cwpa.ie

An Coimisiún Pleanála

64 Marlborough St,

Rotunda,

Dublin 1,

D01 V902.

Feb 5th, 2025

RE: **First Party Appeal against Fingal County Council's decision to Refuse Permission for a proposed aviation-related development under Reg. Ref. FW25A/0480E.**

Site: **Lands within the townland of Huntstown, Swords, Co. Dublin. The subject site fronts onto the R108 to the east**

Planning Ref:	**FW25A/0480E**
Date of Planning Authority Decision:	**January 9th, 2026.**
Order No:	**CE9299.**
Closing Date for First Party Appeal:	**February 5th, 2026.**

We, CWPA Planning and Architecture, Penthouse Offices, Third Floor, Broadmeadow Hall, Applewood, Swords, Co. Dublin, K67 Y5F2, on behalf of our Client, D.A. Terminal 3 Ltd., Omega House Collinstown Cross, Swords Road, Collinstown, K67W8X8, wish to appeal the decision of Fingal County Council to Refuse Permission for a proposed aviation-related development under Reg. Ref. FW25A/0480E.

Please find enclosed payment **€3,000**, the appropriate fee for a First Party Appeal of this nature. [1]This First Party Appeal is being submitted within the appropriate timeframe for lodgement of an appeal (February 5th, 2026).

We trust that the provisions of this appeal document will be taken into full consideration and we look forward to the determination of the An Coimisiún Pleanála in due course.

Yours sincerely,

Joseph Corr

Mr. Joe Corr

Managing Director (Planning)

CWPA Planning & Architecture

IRISH PLANNING INSTITUTE

RIAI

Mr. Francis Whelan

Managing Director (Architecture)

CWPA Planning & Architecture

IRISH PLANNING INSTITUTE

RIAI

[1] This First party appeal is Category A4, as an appeal which does does not include retention; The appeal does relate to commercial development; and The appeal or application does include an EIAR or NIS

| February 2026

Prepared by CWPA Planning & Architecture

CWPA

Planning & Architecture

FIRST PARTY APPEAL

Submission to An Coimisiún Pleanála (ACP) on behalf of D.A. Terminal 3 Ltd.

CWPA Planning & Architecture, Penthouse Offices, Third Floor, Broadmeadow Hall, Applewood, Swords, Co. Dublin, K67 Y5F2. Email: HQ@cwpa.ie Phone: 01-6856616.

Quality Assurance – Mandate Statute

This document has been prepared and scrutinised in accordance with CWPA Planning & Architecture Quality Assurance team provisions.

Appeal Information:

Applicant:	D.A. Terminal 3 Ltd.
Planning Authority:	Fingal County Council.
Planning Ref:	FW25A/0480E
RE:	First Party Appeal.
Subject Site:	Lands within the townland of Huntstown, Swords, Co. Dublin, The subject site fronts onto the R108 to the east.
Prepared By:	CWPA Planning & Architecture.

CWPA Ltd. DISCLAIMER. 2026

Table of Contents

1.0 Introduction

CWPA Planning and Architecture, Penthouse Offices, Third Floor, Broadmeadow Hall, Swords, Co. Dublin, K67 Y5F2, has been engaged by our client, D.A. Terminal 3 Ltd. (Appellant), Omega House Collinstown Cross, Swords Road, Collinstown, K67W8X8, to lodge a First Party Appeal with An Coimisiún Pleanála (ACP) against the decision of Fingal County Council to Refuse Permission regarding planning Reg. Ref. FW25A/0480E. This appeal document is accompanied by technical reports and testimonies from various competent consultants to demonstrate how the proposed is appropriate in its DA zoned location and also how the documentation submitted in tandem with the application most notably the Appropriate Assessment Stage 1 and Environmental Impact Assessment Report are robust documents that support the development.

The purpose of this First Party Appeal is to demonstrate that the proposed development constitutes sustainable development and that the decision of Fingal County Council should be overturned, with planning permission granted by An Coimisiún Pleanála. To that end, we will demonstrate that the refusal of permission is not in keeping with government guidance relating to the aviation and air transport-related sector, which is seen as vital in maintaining and growing the economy as outlined in the National Aviation Policy, RSES, Dublin Airport LAP 2020 (extended) and Fingal Development Plan 2023-2029.

1.1 Development Description as Applied For

Planning Permission is sought for the following developments:

1. Construction of four aviation-related cargo handling units with ancillary office space:
   i. Unit 1: c.10,869.7 m^2 (including 940.9 m^2 office space)
   ii. Unit 2: c.9,151.3 m^2 (including 751.3 m^2 office space)
   iii. Unit 3: c.6,024.9 m^2 (including 497.7 m^2 office space)
   iv. Unit 4: c.8,577.7 m^2 (including 751.3 m^2 office space)

The proposed units will have an overall combined total gross floor area (GFA) of c. 34,623.6 sq.m (alongside ancillary ESB substations, 4 no. security huts with a combined GFA of 30 sqm and pumphouses). The warehouses are c. 12m in height, with the office element being c. 3.3 m in height and located within a landscaped campus on a site of c. 10.7 Ha.

2. Provision of 390 car parking spaces, including 39 EV charging points, 19 accessible spaces, and 39 motorcycle bays.
3. Provision of 230 secure bicycle parking spaces, of which 100 are short stay spaces and 130 are sheltered long stay spaces.
4. Provision of approx. 77 truck parking spaces and 5 van spaces.
5. Hard and soft landscaping, new boundary treatments, including a c. 2m high System Wire Fence to site boundary.
6. Construction of new site entrance onto the R108.
7. Wastewater treatment plant and infiltration area for 250 PE.
8. All necessary site development and engineering and ancillary site works, including provision of ESB substations and switchrooms, sprinkler tanks and pumphouses, bin store and recycle store, lighting, signage, underground services, photovoltaic panel zones at roof level and sustainable drainage systems (SuDS).

An Environmental Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the planning application.

2.0 Response to Departmental Reports and Reports from Statutory Consultees

In the preparation of this First Party Appeal a detailed review of all decision documentation was undertaken by the Design Team, including Departmental Reports issued by various Sections of Fingal County Council together with Reports issued by Statutory Consultees in respect of the proposed development. It is noted that a select number of Departmental Reports advised that Further Information be provided, including the Air & Noise Section, Environment Section and the Community Archaeologist. Separately, the Dublin Airport Authority (DAA) and Irish Aviation Authority (IAA) advised that the following assessments be carried out by way of Further Information:

- *Outer Public Safety Zone Assessment.*
- *Wildlife Hazard and Bird Strike.*
- *Glint and Glare Assessment.*

- *Instrument Flight Procedures Assessment (Joint position of DAA & AirNav).*
- *Aeronautical Assessment (Joint position of DAA & AirNav).*

Notwithstanding the fundamental purpose of this First Party Appeal is to overcome the 5 no. reasons for Refusal as issued by Fingal County Council, it is considered appropriate to provide a concise response to each of the Further Information requests that were advised. We trust this will in part serve to assist with the overall assessment of this First Party Appeal by An Coimisiún Pleanála.

At the outset, we maintain that all requests for Further Information are of a relatively minor nature and as such can either be addressed as part of this First Party Appeal document or alternatively by way of compliance with appropriately attached Conditions, where necessary.

Alternatively, it is noted that An Coimisiún Pleanála can use their discretion as to whether Further Information should be requested as part of the assessment of this First Party Appeal in accordance with Section 132 of the Planning & Development Act 2000 (as amended). Whilst not considered necessary in this instance, we wish to highlight our willingness to submit Further Information via this process if required, though no material change will be required should ACP decide to grant.

2.1 Air & Noise Section

In respect of comments received by the Air & Noise Unit, it is noted that a noise management plan was recommended as part of Further Information addressing night-time operations and the potential for impact at the Noise Sensitive Locations (NSL's). This is notwithstanding that aviation noise is the dominant noise source in the area.

It is worth noting that currently the subject site and surrounding lands within the Western Campus exhibit a typical agricultural greenfield character, having been in low-intensity agricultural use for many years. As such, the predicted impacts of the proposed development have been assessed at just four Noise-Sensitive Locations (NSLs) which represent the nearest noise-sensitive residential receptors. In addition, two of these receptors, NSL 1 & NSL 3, are both derelict unoccupied properties.

It is the joint position of CWPA Planning & Architecture and iAcoustics, as the domain specific noise specialists working on this project as part of the Design Team, that the provision of a noise management plan can most certainly be addressed by way of compliance with an appropriately applied Condition. This

would be considered standard practice in this instance and perfectly reasonable as a means of addressing this matter.

As previously noted in the EIAR, conservative estimates indicate that mitigation measures may only be required at one receptor, NSL 2. Mitigation measures as detailed in the originally submitted EIAR may include for example prohibiting the use of loading bays closest to the NSL 2 if later determined as necessary. iAcoustics are available to elaborate on this in the future at the appropriate stage.

2.2 Environment Section Report

The Environment Section advised that a revised Operational Waste Management Plan (OWMP) be submitted by way of Further Information with revisions to waste storage capacity calculations in line with the British Standard Code 5906:2005. In addition, it was advised that revised drawings be provided accordingly with appropriate waste storage areas. We would emphasise that such revisions are of a very minor nature and can most certainly be addressed by way of the compliance process prior to the commencement of development. It is noted that there is ample space within the site to comfortably provide for the any necessary amendments to the waste storage areas serving the proposed development and we would welcome the opportunity to engage with the Environment Section in this regard to ensure this aspect of the proposal is addressed to the satisfaction of the Local Authority as part of the compliance process.

Alternatively, we would be happy to submit Further Information in this respect for the consideration of An Coimisiún Pleanála in accordance with Section 132 of the Planning & Development Act 2000 (as amended), however, this is not considered necessary nor fundamental to this First Party Appeal in this instance.

2.3 Community Archaeologist Report

The Departmental Report issued by the Community Archaeologist advised that on-site works be carried out by the Design Team Archaeologist in the form of Archaeological Impact Assessment which was to comprise *'a geophysical survey, test-excavation, the results of archaeological investigations, analysis and a statement of impact of the proposed development on the sub-surface archaeological remains, in the context of the known archaeological landscape and potential additional future development'.*

A comprehensive desktop appraisal of archaeological, architectural and cultural heritage has already been undertaken as part of the originally submitted EIAR and formed Chapter 14 of this document. This Chapter was undertaken having regard to general EIA guidance and the following legislation and guidelines which were also consulted as part of the assessment.

- *National Monuments Act 1930 to 2014;*
- *The Planning and Development Acts 2000 to 2018;*
- *Planning & Development Regulations 2001–2018;*
- *Heritage Act, 1995, as amended;*
- *Heritage Act 2018;*
- *Frameworks and Principles for the Protection of the Archaeological Heritage, 1999, (formerly) Department of Arts, Heritage, Gaeltacht and Islands;*
- *Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions).*

The assessment determined, as far as reasonably possible from existing records, the nature of the Cultural Heritage resource within the footprint and a defined vicinity of the proposed development and therefore consisted of the following;

- *Determining the presence of known archaeological and built heritage sites that may be affected by the proposed development;*
- *Assessment of the likelihood of finding previously unrecorded archaeological remains during the construction programme;*
- *Determining the impact (direct/indirect) upon the known Cultural Heritage sites in the surrounding area (receiving environment)*
- *Identifying mitigation measures based upon the results of the above research; and*
- *Describing the residual impact on the archaeological, architectural and Cultural Heritage resource.*

We wish to express our Client's willingness to provide further archaeological works in respect of the subject site such as that advised by the Heritage Officer of Fingal County Council in recognition of the proposed DAA planning application submitted on lands adjacent to the site under Reg. Ref. F23A/0781 where Apron 7 was proposed and where sub surface enclosures were identified as part of a geophysical survey undertaken.

In this instance we submit it is most appropriate to require an Archaeological Assessment be carried out by way of Condition and that such a Condition be addressed prior to commencement of development. This will ensure that the necessary assessments can be undertaken ensuring any potential archaeological remains or sensitives are fully addressed to the satisfaction of Fingal County Council prior to

commencement. It could be conditioned that monitoring take place during construction stage. It is noted that this approach was adopted by An Coimisiún Pleanála under Reg. Ref. FW22A/0204 (ABP-317480-23) which was an alternative project led by CWPA Planning & Architecture in close proximity to the subject site for the provision of a Gas Power Generation Station, where all necessary on site archaeological works were to be provided prior to commencement of development.

Alternatively, we would again be happy to submit Further Information in this respect for the consideration of An Coimisiún Pleanála in accordance with Section 132 of the Planning & Development Act 2000 (as amended), should this be considered necessary however this would not be a material amendment.

2.4 Response to additional assessments advised by Statutory Consultees

As also previously noted, Statutory Consultees including the Dublin Airport Authority (DAA) and Irish Aviation Authority (IAA) have advised that that a select number of assessments be carried out by way of Further Information. As such, we wish to respond briefly to each of these requests, insofar as their relevance and/ or significance is concerned.

- Outer Public Safety Zone Assessment.

  Firstly, it is noted that the location of the subject site as being partially located within the Outer Public Safety Zone was fully addressed in the originally submitted EIAR to Fingal County Council. This was reflected in Chapter 15 (Accidents & Disasters) which set out that the proposed development aligned with indicative maximum employment density limits as required by the ERM Report (2005) and Objective DAO18 of the Fingal County Development Plan 2023 - 2029. For ease of reference, this relevant Section of Chapter 15 is provided below for the consideration of An Coimisiún Pleanála;

"15.5.3 Outer Public Safety Zone (PSZ)

Public Safety Zones (PSZs) are designated areas surrounding airport runways, intended to limit the risk to people on the ground in the unlikely event of an aircraft incident during take-off or landing. These zones manage the type, scale, and density of development within defined boundaries to help ensure public safety. At Dublin Airport, PSZs are set using quantified individual risk thresholds for fatality due to aircraft accidents: Inner PSZ: 1 in 100,000 per year Outer PSZ: 1 in 1,000,000 per year.

The subject site for the Proposed Development is located partially within the Outer Public Safety Zone for Dublin Airport. This means that all buildings and operational areas fall within a zone where development must be carefully managed to maintain acceptable risk levels for those working on or visiting the site.

In the absence of formal national guidelines for detailed PSZ management, the Fingal County Development Plan provides relevant policy objectives. Objective DAO18 seeks to "promote appropriate land use patterns in the vicinity of the flight paths serving the Airport, having regard to the precautionary principle, based on existing and anticipated environmental and safety impacts of aircraft movements."

The Proposed Development aligns with this objective by providing a low-density, employment-focused use that is compatible with the Outer PSZ designation and avoids placing sensitive or high-density uses directly under flight paths.

In addition, Objective DAO19 of the Development Plan supports the review of PSZs associated with Dublin Airport and confirms that until such time as formal Government guidance is issued, the Council will continue to rely on advice from the Irish Aviation Authority (IAA) when assessing development proposals within PSZ boundaries.

In line with best practice and the 2005 ERM Report on PSZs, development within the Outer PSZ must be restricted to uses that limit the concentration of people on site. For employment uses, an indicative maximum density of up to 110 persons per half hectare applies. The proposed cargo handling facility has been purpose-designed as a low-density, aviation-related employment use, which is fully compatible with its location partially within and outside the Outer Public Safety Zone. Waterman Moylan, as the appointed project engineers, have determined that an acceptable employment capacity for the Proposed Development is 350 staff, which aligns with the precautionary approach and the indicative maximum density limits set out in the ERM Report (2005) and Objective DAO18 of the Fingal County Development Plan.

The total number of employees on site will be actively managed to ensure that occupancy levels remain within this defined limit, thereby maintaining compliance with the relevant PSZ density parameters and any updated guidance or statutory policy that may be adopted in the future. The applicant confirms their willingness to accept a planning condition requiring that all activities within the Outer PSZ operate within the employment density limits specified in the ERM report or any updated guidance that may replace it.

This approach ensures that the development promotes appropriate land use in the vicinity of airport flight paths, consistent with the precautionary principle set out in Objective DAO18, and that it remains compatible with aviation safety, public safety, and the efficient operation of Dublin Airport's airspace."

Having regard to the aforementioned, it is the considered opinion of CWPA Planning & Architecture that sufficient information has been provided to enable a full and adequate assessment of the proposed development insofar as the Outer Public Safety Zone designation and the associated employment density limits of the ERM Report are concerned. As stated above, the proposed aviation - related cargo handling facility is expected to generate a maximum of 350 employees on site. Noting the area of the site extends to 10.7 hectares this generates an average employment density of 17.38 persons per half hectare which is clearly comfortably within the ERM Guidance at just 15% of the maximum allowable number of employees permitted on such sites.

- Wildlife Hazard Risk Assessment

In respect of the requirement to provide a Wildlife Hazard Risk Assessment as part of the planning application documentation, the DAA have ultimately advised that such documentation can be provided by way of compliance with an appropriately applied Condition requiring final landscaping and drainage proposals to be agreed with daa and AirNav Ireland prior to the commencement of construction. We wish to confirm our Client is perfectly willing to comply with such a Condition.

- Glint and Glare Assessment.

The DAA have advised that in the event that solar PV panels are to form part of the future development of the aviation related cargo handling facility, then there is a requirement to undertake a Glint and Glare Assessment demonstrating the proposed development will not adversely affect the safety of aircraft or ATC operations at Dublin Airport. We wish to clarify that **no solar panels are proposed** as part of the proposed development and as such this assessment is not a requirement as part of this planning application. It may also be worth noting that the DAA have themselves installed PV panels on DA zoned lands in the vicinity and that these have not caused an issue, and such panels are designed such that they would not cause 'glint and glare' issues. The applicant is however willing to accept a condition to 'de-exempt' solar panels were this to be considered a concern for the Commission.

- Aeronautical Safety Assessment (Joint position of DAA & AirNav).
- An Instrument Flight Procedures Assessment (Joint position of DAA & AirNav).

The DAA & Air NAV have advised of the requirement to demonstrate the proposed development will not adversely affect aviation safety, flight procedures, or Air Traffic Control operations at Dublin Airport by way of providing the above-mentioned aeronautical safety assessments.

Having consulted with aviation experts, we are satisfied that the proposed development will not interfere with radar, communications, or flight safety systems. It is noted that such documents have not formed part of the 5 no. reasons for Refusal as issued by Fingal County Council and as such these assessments were not fundamental to the refusal decision at hand. As such, we would welcome an opportunity to provide the above-mentioned aeronautical safety assessments by way of compliance with an appropriately applied Condition for agreement with the DAA, IAA and Air NAV where relevant prior to commencement of development. While these documents could not be prepared in the limited timeframe of four weeks for the appeal to be submitted, should An Coimisiún Pleanála consider it necessary to request these assessments in accordance with Section 132 of the Planning & Development Act 2000 (as amended), we would be happy to furnish these documents as part of a response to such a request.

3.0 Reasons for Refusal & Responses

3.1 Zoning and Airport-Related Use

Reason 1

"The subject site is zoned 'DA' Dublin Airport under the Fingal Development Plan 2023- 2029, where the objective seeks to 'ensure the efficient and effective operation and development of the Airport in accordance with an approved Local Area Plan'. Having reviewed the submitted planning application and all supporting documentation the Planning Authority is of the opinion that the proposal does not relate to Air Transport Infrastructure - Cargo Handling or airport related logistics and is therefore not permitted under this land zoning use and would contravene materially the development objective in the Fingal Development Plan for the zoning of land as 'DA' Dublin Airport and as such would be contrary to the proper planning and sustainable development of the area."

Response

The specific zoning objective to "ensure the efficient and effective operation and development of the Airport in accordance with an approved Local Area Plan" is to facilitate air transport infrastructure and Airport related activity/uses only (i.e. those uses that need to be located at or near the Airport).

Use classes related to the zoning objective, permitted in principle include:

Aerodrome/Airfield	Air Navigation Installations	Air Transport Infrastructure
Car Hire Holding Area	Cargo Yards	Carpark – Non-Ancillary
Childcare Facilities	Food, Drink and Flower Preparation/Processing	Fuel Depot/Fuel Storage
General Aviation	Hotel	Logistics*
Office Ancillary to Permitted Use	Office ≤ 100 sqm	Office > 100 sqm and < 1,000 sqm
Office ≥ 1,000 sqm*	Open Space	Petrol Station
Place of Worship	Public House	Public Transport Station

Restaurant/Café	Retail – Local < 150 sqm nfa	Retail – Comparison > 500 sqm nfa
Taxi Office	Telecommunications Structures	Training Centre*
Utility Installations	Warehousing*	

The Development Plan stipulates that logistics use at Dublin Airport is permitted in principle provided that it is Air Transport Related only. Air Transport Infrastructure includes: aircraft areas, air traffic control/tower, ancillary *health, safety and security uses, aprons, cargo handling, maintenance hangers, meteorology, retail – airside/duty free, runways, taxiways, terminals and piers.

The Chief Executive Order asserts that the proposed development does not constitute air transport infrastructure or airport-related logistics and is therefore not permissible on lands zoned "DA - Dublin Airport". The proposed facility whose sole purpose is to handle cargo and freight is located adjacent to Dublin Airport, a location that it is primed for handling freight destined for, or arriving from, Dublin Airport and therefore is, by definition, airport-related infrastructure.

The Fingal Development Plan 2023-2029 expressly recognises cargo handling and freight related infrastructure as an intrinsic component of airport operation and development. The DA zoning objective seeks to "ensure the efficient and effective operation and development of the airport", including landside freight and cargo handling functions and not solely passenger or airside infrastructure.

The applicant is in discussions with operators currently sending freight to and from Dublin Airport. The applicant is happy to accept a condition that provides occupation user to be.

The proposed development is an aviation-related purpose-designed air-cargo handling facility, with the intention to be functionally and operationally linked to Dublin Airport and located immediately adjacent to the airport campus. Its siting is driven by objective aviation and logistics criteria, including:

- Immediate proximity to the airfield
- Initially landside access with the intention to facilitate future airside integration
- Integration with airport cargo flows
- Operational efficiency and reduced haulage distances

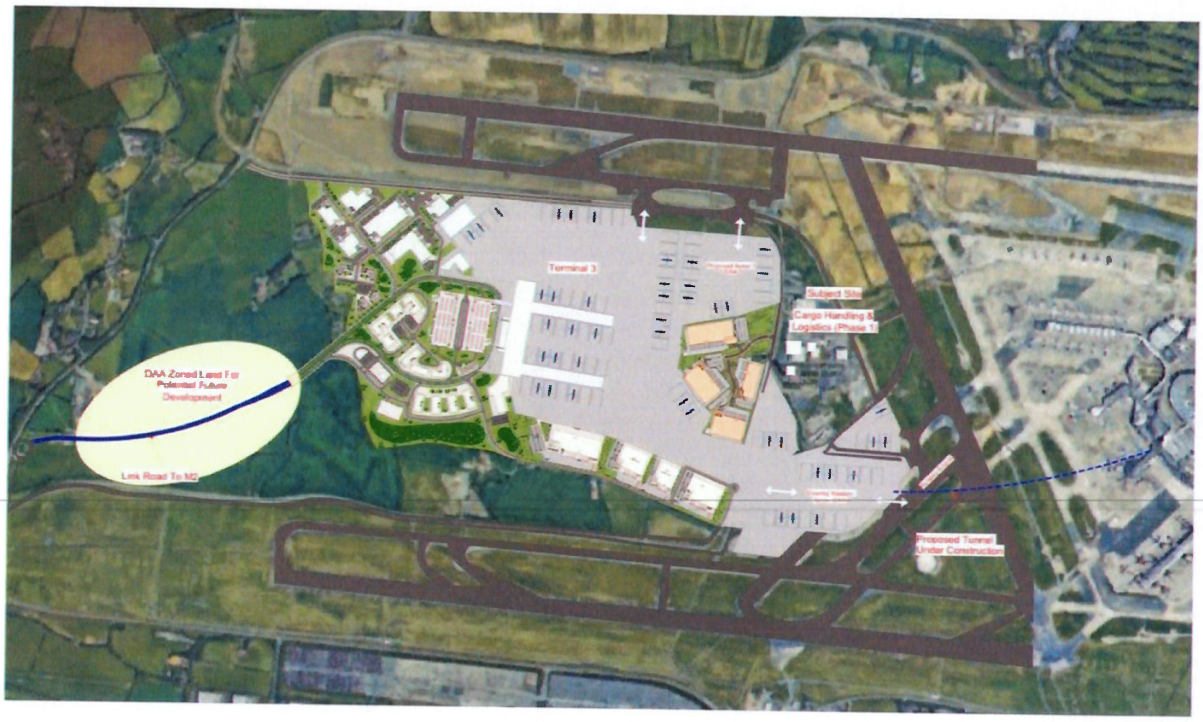
The proposition that an operator would acquire premium DA-zoned land for non-aviation logistics use is commercially implausible and unsupported by evidence.

3.1.1 Independent Aviation Planning and Infrastructure Assessment

An Independent Aviation Planning and Infrastructure Assessment, prepared by Sergi Alegre Calero (Director General, Airport Regions Council), was commissioned to provide an objective peer review of the proposed development under application FW25A/0480E, with particular regard to the aviation, land-use, and operational considerations cited by the Planning Authority in Reasons for Refusal Nos. 1 and 2.

The Independent Aviation Review concludes that the proposed development, comprising aviation-related cargo handling units with ancillary office accommodation, constitutes Air Transport Infrastructure - Cargo Handling and airport-related logistics, fully consistent with the 'DA - Dublin Airport' zoning objective of ensuring the efficient and effective operation and development of the Airport.

The location of the site between the parallel runways is identified as optimally suited to air-related cargo activity, given its proximity to existing and potential future airside infrastructure, taxiways, and apron areas. While airside access is not currently proposed, the Review confirms that airside access is not an essential prerequisite for the permissibility of cargo handling uses, and that the proposal future-proofs the site for potential airside integration subject to operational requirements. The Review finds no evidential basis to conclude that the proposed use would be incompatible with the zoning objective or contrary to proper planning and sustainable development. The full review is appended to this appeal for detailed reference.



CWPA Proposed Masterplan

3.2 National and Local Policy Contravention

Reason 2

The proposed development is located proximate to lands west of runway 16/34 indicated in the Dublin Airport Local Area Plan as a potential location for a third terminal (T3). The Planning Authority is not satisfied, on the basis of the information submitted that the proposed development would not prejudice the orderly operation and continued growth of the Airport including the provision of a third terminal and the provision of a western access route to Dublin Airport from the N2 corridor. The proposal is considered to be piecemeal, and developer led and fails to present a comprehensive and cohesive approach in ensuring sustainable growth at the Airport is safeguarded. The proposed development is contrary to DA01, DA02 of the Fingal Development Plan 2023-2029 and EI03, TP03 & EA05 of the Dublin Airport Local Area Plan and would therefore, be premature and contrary to the proper planning and sustainable development of the area.

Response

3.2.1 Fingal Development Plan 2023-2029

The Fingal Development Plan 2023-2029 states, the sustainable growth of Dublin Airport is paramount. National, Regional and local policy supports the continued growth of Dublin Airport, including its development as a secondary European hub airport.

The FDP has recognised the niche hub role that the airport has within the European airport system servicing the Transatlantic aviation market, given its strategic geographical location and its unique ability in Europe to offer customs and immigration pre-clearance for passengers and its significant role in terms of the movement of freight from Ireland.

The pivotal role of the Airport in the transport network of Ireland is clear. This is due to its location at the nexus of the M1 (to Northern Ireland), M2, M3 and M50 motorways and the presence of major public transport corridors from the centre of Dublin (currently bus, planned MetroLink and prospectively heavy rail) serving the Airport. The relative accessibility of Dublin Airport from much of the Country also suggests a broader role for the Airport serving the whole island of Ireland.

It further contends that the proposal may prejudice the future development of Dublin Airport, including a third terminal and a western access route.

This position is fundamentally flawed, overly restrictive, and unsupported by both national and local policy. There is currently no adopted or fixed location for a third terminal at Dublin Airport. The Oxford Economics Report 2018 for the DTTAS identified three potential options, none of which were selected or embedded in statutory policy. One option involved the demolition of Terminal 1, highlighting the absence of spatial certainty.

The Independent Aviation Review demonstrates that the subject site is **not** suitable for terminal development for operational, safety and layout reasons and therefore can be considered for ancillary airport operations such as cargo handling. The refusal effectively sterilises strategically zoned lands based on hypothetical future scenarios conflicting with **Objectives DAO1** and **DAO2** of the Development Plan and **Objective TP03**, which requires review of options, not sterilisation of land.

Development Plan objectives explicitly support such development:

> ***Objective DAO1 – Safeguarding Dublin Airport***
> *Facilitate the operation and future development of Dublin Airport, recognising its role in the provision of air transport, both passenger and freight.*
>
> ***Objective DAO2 – Safeguarding Current and Future Requirements***
> *Safeguard the current and future operational, safety, technical and developmental requirements of Dublin Airport, having regard to environmental and economic considerations.*

The Planning Authority's interpretation effectively excludes landside cargo handling from DA lands, a restriction that does not appear in policy and would, if applied consistently, materially undermine the airport's freight function.

3.1.2 Dublin Airport Local Area Plan 2020 (extended)

The Dublin Airport Local Area Plan 2020 (LAP) was extended into the Fingal Development Plan 2017-2023. The LAP provides an updated strategy for the continued growth of Dublin Airport in line with relevant aviation, planning and environmental policy within the context of a sustainable growth framework. More specifically, the LAP provides a detailed framework to facilitate the capacity enhancements and operational improvements that are required within the short to medium term for Dublin Airport to:

- Continue to operate safely and efficiently;
- Keep pace with the anticipated growth in demand; and p Develop as a secondary European hub;
- Outlines the community, environmental and supporting infrastructure and surface access measures necessary to support the Airport's growth, consistent with:
    - Sustainable development principles;
    - Appropriate noise and environmental measures designed to protect public health; and
    - Ensuring high quality surface transport access to the Airport.

Objective EI03 *All development proposals shall not prejudice the orderly operation and continued growth of the Airport including provision of a third terminal in the future.*

Objective TP03 *Support the detailed review of the three identified locations for a third terminal at Dublin Airport as set out in the Department of Transport, Tourism and Sport (DTTAS), 'Review of Future Capacity Needs at Ireland's State Airports', (August 2018) during the lifetime of this LAP with a view to identifying the most appropriate location.*

Objective EA05 *Provide for a Western Access route to Dublin Airport from the N2 corridor, with consideration being given to the future capacity requirements and development layout of Dublin Airport.*

3.2.3 National Aviation Policy 2015

The National Aviation Policy 2015 (NAP) provides clear and unambiguous support for the development of air-cargo infrastructure associated with Dublin Airport and adopts a functional, not boundary-based, interpretation of what constitutes airport-related development.

The overarching policy position states:

> *"Ireland's export competitiveness should be enhanced through improved air-cargo provision to existing and emerging markets."*

The document explicitly promotes the expansion of air-cargo capacity and the development of landside freight infrastructure through the partnership between airports and private operators.

> ***Action 3.3.1:*** *An overall freight policy for Ireland, covering all modes, will be developed with a view to ensuring the continued competitiveness of the freight sector, and will include consideration of the role of air-cargo.*
>
> ***Action 3.3.2:*** *The Department will seek to remove limits on all air-cargo capacity in Ireland's bilateral air transport agreements.*
>
> ***Action 3.3.3:*** *The Department will engage with the relevant stakeholders under the auspices of the National Facilitation Committee on air-cargo.*
>
> ***Action 3.3.4:*** *Dublin and Shannon Airports, in partnership with the other players in the air-cargo industry, will be mandated to develop and publish strategies on air-cargo.*

The proposed facility whose sole purpose is to handle freight destined for, or arriving from, Dublin Airport is, by definition, airport-related infrastructure, irrespective of whether it is located inside or outside the immediate airport boundary.

The Planning Authority's position is therefore inconsistent with national policy, established aviation logistics practice and a contravention of government policy.

3.2.4 Independent Aviation Planning and Infrastructure Assessment

The Independent Aviation Planning and Infrastructure Assessment further concludes that the proposed development would not prejudice the orderly operation or long-term growth of Dublin Airport, including the future provision of a third terminal or a western surface access route.

Having assessed the Dublin Airport Local Area Plan, the Oxford Economics Study, and the applicant's indicative Western Campus Masterplan, the Review finds that the preferred and most operationally efficient location for a future Terminal 3 is at the western end of the lands between the parallel runways. The proposed cargo development does not encroach upon, constrain, or sterilise this identified terminal location, nor does it compromise the delivery of a western access route from the N2/M2 corridor.

The Review confirms that the phased development of cargo facilities within the airport's core operational area reflects established international best practice in airport planning and is consistent with layouts at comparable European and international airports. The proposal represents a logical and efficient first phase of development, rather than piecemeal or developer-led expansion, and supports the consolidation of aviation-related uses within the existing airport footprint.

The Review demonstrates that the proposed development is fully aligned with the strategic planning framework for Dublin Airport, complies with the objectives of the 'DA' zoning, and safeguards the long-term provision of Terminal 3 and associated access infrastructure. Accordingly, the grounds cited in Reasons for Refusal Nos. 1 and 2 are not supported by aviation, operational, or land-use planning evidence, as set out in detail in the appended Independent Aviation Review. The full review is appended to this appeal for detailed reference.

3.3 Appropriate Assessment Screening Report (AASR) and Environmental Impact Assessment Report (EIAR)

Reason 3

Having reviewed the submitted Appropriate Assessment Screening Report together with the details of the proposed development and all associated documentation, the planning authority has concluded that the applicant has not demonstrated that the project, either individually or in combination with another plan or project, will not have a significant effect on any European sites. The information submitted is incomplete and insufficient to enable the planning authority to undertake its screening for appropriate assessment. Advice Note In terms of screening for EIA, the applicant has not provided the information listed in Schedule 7A of these Regulations which is to be provided to the competent authority by the developer. This information is required to allow the competent authority to make an EIA Screening Determination taking account of the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.

3.3.1 Appropriate Assessment Stage 1

An AA Screening Stage 1 was undertaken by a competent expert, ecologist Rob Beer from MWP. Refusal Reason 3 does not identify a substantive deficiency in the Appropriate Assessment Screening but instead conflates AA requirements with EIA screening provisions. The AA Screening Report submitted with the application applied a compliant source-pathway-receptor methodology and concluded, on the basis of objective scientific evidence, that no likely significant effects on European sites would arise, either alone or in combination. The reference to Schedule 7A information relates to EIA screening and is not determinative of AA sufficiency. The matters raised by FCC are procedural and presentational, rather than evidencing an absence of information.

Even were an AA Stage 2 required, this does not de facto have implications for/upon the EIAR, as they are regulated by separate legislative provisions and guidance. On this basis, it is considered that Refusal Reason 3 should not be upheld, as there is no ecological or Appropriate Assessment basis on which to refuse permission for the proposed development. Detailed clarification and supporting technical evidence are set out comprehensively in the MWP report.

The Planning Authority appears to have conflated Appropriate Assessment and Environmental Impact Assessment Screenings which is a significant error on the Planning Authority's part during the assessment of the application.

3.3.2 EIA Screening Determination

An Environmental Impact Assessment Report (EIAR) was voluntarily submitted as part of the planning application and was required to be assessed by the Planning Authority as part of its determination. No EIA screening determination was sought as an EIAR was submitted for the subthreshold development. The purpose of an EIA determination is to ensure that an applicant addresses whether there may be an environmental impact as a result of the development. Section 2.2 of the EIAR Pages 30-31 outlines the screening process undertaken by CWPA to determine the necessity of a full EIAR.

While the proposed development is sub-threshold, the applicant and agent were fully cognisant of its scale, complexity, and proximity to Dublin Airport. For this reason, a precautionary and comprehensive approach

was adopted, and a full EIAR was prepared and submitted alongside the planning application to ensure that any potential significant environmental effects were robustly identified, assessed, and mitigated.

In this instance, it was accepted that the development had this potential, and therefore an EIAR was submitted. In submitting a full EIAR, the planning authority has all of the necessary information to determine the nature and extent of environmental impact. In circumstances where an EIAR has been submitted, the requirement for a separate EIA screening determination under Schedule 7A does not arise. The Planning Authority is obliged to assess the EIAR on its merits, rather than to refuse permission on the basis of an alleged absence of screening information which is rendered redundant by the submission of a full EIAR. This demonstrates an error by the Planning Officer during assessment of the application.

The EIAR was prepared in accordance with the statutory requirements set out in Annex II of the EIA Directive and the Planning and Development Act 2000 (as amended), and each chapter was authored by appropriately qualified and experienced competent experts. Formal assessments were undertaken for all relevant environmental topics, with supporting technical reports provided where required. On this basis, the EIAR constitutes a complete and legally robust environmental assessment document.

Any alleged deficiencies identified by the Planning Authority must be material in nature and incapable of resolution by clarification, the imposition of conditions, or the provision of further information. Section 127 of the Planning and Development Act 2000 (as amended) expressly provides a statutory mechanism for the seeking of further or clarificatory information where such matters arise. The decision to refuse permission does not explain why this mechanism was not considered appropriate in this instance, particularly where the concerns raised largely relate to matters of clarity, interpretation, or additional detail rather than substantive environmental effects. This demonstrates a deficit in the assessment by the Planning Officer.

3.3.3 Chapter-by-Chapter EIAR Response

Chapter 3 – Alternatives

CE Order (Section 11 page 25):

> *"Section 3.2.3 addresses Consultation stating that the 'applicants have engaged with key stakeholders as part of their statutory and non-statutory pre-planning consultation process'.*

However, other than references to the 'Competent Authority', no details on the consultees, or the timings, number of meetings, comments or observations have been provided."

Response:

This assertion is not factually correct. Page 43 of the EIAR explicitly states that "the applicant has also engaged with potential occupants and market leaders in the area of aviation-related logistics and cargo handling to ensure that the design reflects market and end-user requirements." This engagement directly informed the operational layout, building configuration, servicing strategy, and functional design of the proposed development.

In addition, stakeholder engagement is clearly outlined within the Planning Statement (refer to page 3), which accompanies the EIAR and forms part of the overall planning application documentation. While consultation detail is not a statutory requirement of an EIAR, the applicant nonetheless undertook both statutory and non-statutory engagement in line with best practice.

The applicant engaged directly with the Department of Transport in respect of the strategic vision for the subject lands, presenting concept proposals outlining the nature, scale, and aviation-related function of the proposed development. These discussions were framed within the broader long-term development of the Western Campus, including the potential provision of a third terminal as identified in the Oxford Economics Review of Future Capacity Needs at Ireland's State Airports (DTTAS, 2018).

In parallel, the applicant had a number of meetings at senior level and made repeated efforts to engage with daa with a view to achieving a coordinated and cohesive approach to the development of the Western Campus. Despite these efforts, daa declined to participate in discussions. In light of this, the applicant engaged with the Department of Transport to seek guidance at a policy level. Having regard to the findings of the Oxford Economics Review (DTTAS, 2018) and its phased approach to terminal development, the Department indicated policy support for the applicant's strategic approach. This appears to have been overlooked by the Planning Officer during assessment of the application.

Accordingly, the contention that consultation was either absent or inadequately documented is not supported by the application documentation when read as a whole.

CE Order (Section 11 page 25):

> *"Section 3.5 Alternative Locations considers alternative locations for a possible T3, together with a relatively rudimentary consideration of alternative site layout. The entire section lacks a considered review of the environmental effects (positive or negative) of alternatives and the reasons, having regard to environmental effects, for selection of a preferred option."*

Response:

Site selection and layout alternatives were extensively examined at pre-planning stage and were informed by specialist aviation expert advice. A key component of this assessment involved determining whether the subject site could reasonably accommodate a future terminal building. On the basis of operational, safety, spatial, and aviation layout considerations, the subject site was ruled out as a suitable terminal location. This conclusion is clearly set out in both the EIAR and the Planning Statement and directly informed the selection of the site for an aviation-related cargo handling use.

CWPA Proposed Masterplan

Alternative layouts were also considered in detail during the pre-planning process and are documented within the project masterplan. These iterations informed building orientation, access arrangements, servicing, and the safeguarding of future airport infrastructure. The preferred layout was selected having regard to functional efficiency, minimisation of environmental effects, and compatibility with the surrounding airport environment.

It is important to note that the EIA Regulations require a reasonable and proportionate assessment of alternatives. They do not require a hypothetical or exhaustive assessment of fundamentally different forms of development (such as a terminal building) where such options have already been discounted on technical and operational grounds by competent experts.

The suitability of the subject site for this use has also been fully assessed by the independent aviation consultant, who has as outlined in their report, that the proposed development is the most suitable site for such a use, and also that these lands serve no other economically viable or as sustainable use associated with the airport.

Furthermore, environmental effects arising from the preferred option were fully assessed across the relevant EIAR chapters, with mitigation measures proposed where necessary. The assertion that the alternatives assessment is "rudimentary" does not reflect the depth of analysis undertaken at pre-planning stage nor the integrated manner in which environmental considerations informed site selection and design evolution.

Chapter 4 - Project Description

CE Order (Section 11 page 25):

> *"Description of the construction aspect of the proposed development are generic in nature and lacks specific detail in terms of programme, compound strategy, methodology, materials and environmental management, including sub-phasing of development, location of compound(s); duration of construction (overall and/or sub-phases), nature of construction activities, details of traffic management, waste management, soil excavations, earthworks, site profiling, quantities of materials, lighting, use of cranes – impacts on Dublin Airport, etc.*

In terms of the operation phase there is a lack of detail in terms of likely uses and associated characteristics, including resource use (service, water, etc.). staffing, shift practices and management, traffic characteristics and management, waste generation and management, etc. There is no description of the characteristics, operation or management of the proposed "dedicated wastewater treatment plant and infiltration area for up to 250 population equivalent (PE)."

Response: The CE Order asserts a lack of construction stage detail; however, this high-level description of the Proposed Development is proportionate to the application stage and consistent with established EIAR practice for strategic employment and logistics developments of a comparable scale. The Project Description chapter is not intended to replicate detailed construction methodologies, finalised programmes, or contractor-led management strategies.

Construction and operational details of the Proposed Development are assessed within the relevant technical chapters of EIAR. Additionally, the chapter references the CEMP which contains the relevant details and is a live document, finalised post-consent. Staffing levels and operational parameters are indicative and professionally derived though the construction workforce numbers cannot be officially derived at this stage. A Resource Waste Management Plan and A Construction Stage Mobility Plan will be prepared prior to commencement as referenced in chapter 4.

The matters raised by FCC are appropriately addressed within specialist EIAR chapters and secured through outline and post-consent plans. This approach aligns with precedent EIARs, including the permitted Horizons Logistics Park development (FW25A/0055E), where equivalent levels of detail were accepted at Project Description stage. It appears that the Planning Officer did not have regard for the information included in the EIAR and neglected to include it in the assessment.

CE Order (Section 11 page 25-26):

"Section 4.5.6 on Cumulative Effects notes that 'The zone of influence' for the purposes of this assessment were developments within 1km of the proposed Development site". While it is noted that this zone may vary in individual technical chapters, no specific basis is provided for determining what, in the context of the location and its proximity to Dublin Airport, is a significantly limited and inadequate zone of influence. No description of relevant projects or likely cumulative effects is provided."

Response: For the purposes of the Project Description chapter, a zone of influence of 1 km was adopted to identify relevant built developments with potential for cumulative interaction rather than receptor-specific environmental effects.

Within this zone, key developments include Dublin Airport, located approximately 500 m from the site, and the Horizons Logistics Park, located approximately 1 km from the site. These developments provide relevant context and precedent for cumulative consideration at Project Description stage.

It is acknowledged that zones of influence vary depending on the environmental receptor under consideration. Accordingly, where a wider or alternative zone of influence is required, this is clearly defined and justified within the relevant technical chapters of the EIAR, including Biodiversity, Land, Soil and Geology, Noise and Vibration, Water, and Traffic and Transport.

Detailed cumulative impact assessment is therefore appropriately addressed within the specialist chapters and is not duplicated within this high-level Project Description.

Chapter 5 – Population and Human Health

CE Order (Section 11 page 26):

> *The chapter does not provide an assessment of the potential impact of in-ward noise on workers / users of the facility, which given its location and context is considered to be a key requirement. The chapter does not reference the findings of Chapter 15 in relation to public safety zones. While a statement on cumulative impacts is provided, it lacks the required detail, analysis and assessment of potential effects.*

Response: Regarding the potential impact of in-ward noise on workers / users of the proposed facility it is noted within Chapter 10, Noise and Vibration, specifically Section 10.5.3, that envelope performance targets of Rw 45 dB for non-glazed elements and Rw ≥ 30 dB for complete glazing systems tested to EN ISO 10140 and rated to EN ISO 717 will achieve BS 8233:2014 internal design targets for open-plan offices ≈40 dB LAeq,T, with scope to achieve ≤ 35 dB LAeq,T at fit-out if required. These recommendations will ensure acceptable acoustic conditions for open-plan office spaces following current office acoustic design standards while a higher standard of acoustic performance can be attained at the office fitout stage, depending on the tenant's design requirements.

With such mitigation measures as proposed in Section 10.5.3 of the originally submitted EIAR, internal noise levels within office spaces are expected to meet best practice design targets specified in BS 8233:2014. As a result, no adverse residual impacts on the health of workers at the facility by way of noise ingress are anticipated. The predicted impact on human health is therefore long-term, slight and neutral.

"The chapter does not reference the findings of Chapter 15 in relation to public safety zones."

As set out within Chapter 15, the subject site is located partially within the Outer Public Safety Zone for Dublin Airport. Relevant findings of this Chapter in relation to this designation are as follows:

"In line with best practice and the 2005 ERM Report on PSZs, development within the Outer PSZ must be restricted to uses that limit the concentration of people on site. For employment uses, an indicative maximum density of up to 110 persons per half hectare applies. The proposed cargo handling facility has been purpose-designed as a low-density, aviation-related employment use, which is fully compatible with its location partially within and outside the Outer Public Safety Zone. Waterman Moylan, as the appointed project engineers, have determined that an acceptable employment capacity for the Proposed Development is 350 staff, which aligns with the precautionary approach and the indicative maximum density limits set out in the ERM Report (2005) and Objective DAO18 of the Fingal County Development Plan.

> *The total number of employees on site will be actively managed to ensure that occupancy levels remain within this defined limit, thereby maintaining compliance with the relevant PSZ density parameters and any updated guidance or statutory policy that may be adopted in the future. The applicant confirms their willingness to accept a planning condition requiring that all activities within the Outer PSZ operate within the employment density limits specified in the ERM report or any updated guidance that may replace it.*

This approach ensures that the development promotes appropriate land use in the vicinity of airport flight paths, consistent with the precautionary principle set out in Objective DAO18, and that it remains compatible with aviation safety, public safety, and the efficient operation of Dublin Airport's airspace."

Having regard to the aforementioned, the proposed development is expected to generate a maximum of 350 employees on site. Noting the area of the site extends to 10.7 hectares, this generates an average employment density of 17.38 persons per half hectare which is comfortably within the ERM Guidance at just 15% of the maximum allowable number of employees permitted on such sites.

"While a statement on cumulative impacts is provided, it lacks the required detail, analysis and assessment of potential effects."

Cumulative impacts in connection with human health and associated indirect impacts was comprehensively addressed in Chapter 10 of the originally submitted EIAR.

This chapter thoroughly assessed all interrelationships, ensuring that combined or cumulative effects were fully considered. The assessment was guided by Article 3(1)(e) of the EIA Directive 2014/52/EU, which requires an evaluation of interactions between population and human health, biodiversity, land, soil, water, air, climate, material assets, cultural heritage, and landscape. We wish to refer An Coimisiún Pleanála to this originally submitted Chapter for further information in this respect.

Chapter 6 - Biodiversity

CE Order (Section 11 page 26):

A dedicated bat survey using bat detectors was not carried out however given the habitats present on the site this is acceptable.

No habitat map has been provided and there is some inconsistency in the habitat descriptions (tree line (WL2) habitat appears to be described as scattered trees (WD5) habitat in Table 6.18).

This chapter considers that the tree lines and hedgerows on the site are of Local Importance (higher Value). It is not clear from the biodiversity chapter what proportion of the hedgerows / scattered tree will be removed to facilitate the development. In addition, it appears that tree and hedgerow removal / protection drawings have not been provided.

Table 6.18 assesses the significance of the unmitigated impact on hedgerows and treelines as permanent, slight and negative. Given the extent of site clearance required to facilitate the development this assessment should be reviewed should be reviewed/justified. There is repeated reference to the Dublin City Council Biodiversity Action Plan (FCC BAP).

Response:

Based on the submitted Landscape Masterplan and Boundary Treatment drawings prepared by Ronan Mac Diarmada & Associates (RMDA, Rev J–K), the site currently contains approximately 1,751 m of existing hedgerow. Of this, approximately 508 m of hedgerow will be removed to accommodate the proposed development, primarily in internal areas associated with access routes and building footprints. Approximately 1,243 m of existing hedgerow will be retained, principally along the external site boundaries, equating to a retention rate of approximately 71%. With quantified hedgerow retention, removal, and replacement planting confirmed, and with landscape mitigation and enhancement measures clearly identified, the ecological significance evaluation remains unchanged. The proposed development will not result in significant effects on habitats or species of ecological importance. (Refer to MWP Ecology & AA Technical Clarification and Landscape Masterplan and Boundary Treatment drawings prepared by Ronan Mac Diarmada & Associates (RMDA, Rev J–K) appended to this report for full detail).

CE Order (Section 11 page 27):

It is considered that the construction-phase mitigation measures provided are generic and there is no reference to site-specific mitigation, or to the need to minimise habitat loss (such as the loss of hedgerows) or to implement any of the biodiversity-related CDP policies, or the relevant actions in the FCC BAP 2023-2030. The biodiversity chapter does not appear to have considered landscape proposals. Operational phase mitigation is equally generic (the mitigation comprises standard, best practice measures including for lighting, not tailored to the project – and not based on an assessment of the impacts of lighting at the site).

The Residual Impact section (S. 6.6) states (for example) that Areas of hedgerow will be removed in order to facilitate the proposed development. Potential bird nesting habitat may be lost. This will result in Permanent, Slight Negative residual effects at the local level (construction phase). Given the lack of information presented on the loss of habitat, particularly the hedgerow and tree line habitat, and the lack of any assessment of the proposals to mitigate this habitat loss it is not clear how this conclusion can be drawn. Similarly, at operational phase, the authors of the biodiversity chapter conclude that the residual effects of the proposed development will be neutral. Given the lack of detail provided this cannot be justified without additional information.

Response: Mitigation measures are proportionate, standard, and consistent with FCC BAP and CIEEM (2018) guidance. (Refer to MWP Ecology & AA Technical Clarification appended to this report for full detail).

CE Order (Section 11 page 27):

An assessment of cumulative impacts is provided, including for permitted and proposed development within a radius of 5km. The assessment is considered incomplete in that there is no reference to projects within daa lands with only a generic assessment of cumulative effects of projects listed (or not) on biodiversity.

Response: Given the localised nature of ecological receptors within the application site, the absence of pathways to Natura 2000 sites, and the landscaping measures proposed, no meaningful cumulative ecological effects arise. Cumulative ecological effects are screened out. No in-combination likely significant

effects. Residual impact conclusions remain appropriate and are defendable under CIEEM guidance. (Refer to MWP Ecology & AA Technical Clarification appended to this report for full detail).

Chapter 7 - Land, Soils and Geology

CE Order (Section 11 page 27-28)

Section 7.2.2 Sources of Information refers to "A review of previous site investigation data was also included ", however, no site investigation data has been provided.

Section 7.4.1 contains an inaccurate description of the surrounds of the site, stating that: "The site is bounded on all sides by agricultural fields which support a mixture of medium to high intensity grassland and tillage production... The nearest buildings directly connected to airport activity are 2.3km to the east." The fact that lands to immediate east are developed and include a range of airport-related uses and buildings, including a control tower, the fire station, warehousing, servicing etc. and a former (closed) public house, is not acknowledged.

While Section 7.4.7 acknowledges that aquifer vulnerability of the proposed site is classified as High (H) the associated map (Figure 7.6) incorrectly locates (pins) the site within a Low (L) vulnerability area.

The assessment of Predicted Impacts, especially under the construction phase, is overly generic with a lack of site specific detail, including no reference to depths of cut or fill of rock and / or soils (in excess of 2m in places) or impact / effect of the extent of loss of greenfield / soil sealing, etc.

Response:

Section 7.2.2 Sources of Information refers to "A review of previous site investigation data was also included". However, no site investigation data has been provided.

The referred to sources of information were inadvertently omitted and were to be attached in the appendices.

Section 7.4.1 contains an inaccurate description of the surrounds of the site, stating that: "The site is bounded on all sides by agricultural fields which support a mixture of medium to high intensity grassland and tillage production. ... The nearest buildings directly connected to airport activity are 2.3 km to the east." The fact that lands to the immediate east are developed and include a range of airport-related uses and buildings, including a control tower, the fire station, warehousing, servicing etc. and a former (closed) public house, is not acknowledged

The description of the site noted the predominant surroundings of the site. The description in 7.4.1 also notes "*The boundary of Dublin Airport lands comes to within 50.5 m of the eastern site boundary. This part of the airport contains the west apron where aircraft are parked. The lands containing the Southern Runway from Dublin Airport are located approx. 310m to the South.*" This does state the developed nature of the area to the east of the site and its use by Dublin Airport. The statement that the nearest buildings directly connected to airport activity are 2.3km to the east is a typo retained from a previous version of the report.

While Section 7.4.7 acknowledges that aquifer vulnerability of the proposed site is classified as High (H) the associated map (Figure 7.6) incorrectly locates (pins) the site within a Low (L) vulnerability area.

The aquifer vulnerability is correct in the written paragraph. The pin is in the position of a previous planned location of the site, and the map was not updated upon changing the site location. With the site outline overlaid on the map, there is a small portion which is within the Extreme (E) vulnerability as shown in Figure 1 below.

The assessment of Predicted Impacts, especially under the construction phase, is overly generic with a lack of site specific detail, including no reference to depths of cut or fill of rock and / or soils (in excess of 2m in places) or impact of same, storage, management or use of quantities of such material, or the impact / effect of the extent of loss of greenfield / soil sealing, etc.

Chapter 8 - Hydrology and Hydrogeology

CE Order (Section 11 page 28)

While Section 8.2.1.8 notes that the site is classified as High (H) in terms of aquifer vulnerability, it is uncertain if a portion of the site also extends into an area of Extreme (E) vulnerability.

Chapter 8 concludes that surface water from the site is connected to the Santry via drainage ditches, however, the CEMP (Section 3) notes that the proposed development is connected hydraulically to the Mayne River via the existing ditch network. It is also noted that the Ground Characterisation Report (ESC Environmental) notes (under Section 3.1 Visual Assessment) that the groundwater flow direction is towards the Cuckoo Stream (EPA Code 09C07) 1.4km distant", and that "The site appears suitable for discharge to ground after the on-site assessment, the site appears well drained. There are deep drainage ditches present with no water." The Ground Characterisation Report also makes reference to previous site investigations / reports, which do not appear to have been provided. These conflicting statements prevent the planning authority from carrying out a detailed assessment.

Chapter 7 (Section 7.5.2) makes reference to impacts on 'perched groundwater', however, there is no consideration of such features or effects of impacts on same in Chapter 8.

While Section 8.2.1.8 notes that the site is classified as High (H) in terms of aquifer vulnerability, it is uncertain if a portion of the site also extends into an area of Extreme (E) vulnerability.

Response: The section 8.2.1.8 does not exist in the submitted document. It is assumed that this refers to Section 8.2.1.2 which discusses aquifer vulnerability. The site outline should have been included in Figure 8.2 to show the entire portion of the site and its location in relation to the boundaries of aquifer vulnerability classification. A small portion of the site is within the Extreme (E) vulnerability. Please find this map attached in Figure 1 below.

Figure 1: Site outline and vulnerability.

Chapter 8 concludes that surface water from the site is connected to the Santry via drainage ditches, however, the CEMP (Section 3) notes that the proposed development is connected hydraulically to the Mayne River via the existing ditch network. It is also noted that the Ground Characterisation Report (ESC Environmental) notes (under Section 3.1 Visual Assessment) that the groundwater flow direction is "East, towards the Cuckoo Stream (EPA Code 09C07) 1.4 km distant", and that "The site appears suitable for discharge to ground after the on-site assessment. The site appears well drained. There are deep drainage ditches present with no water." The Ground Characterisation Report also makes reference to previous site investigations / reports, which do not appear to have been provided. These conflicting statements prevent the planning authority from carrying out a detailed assessment,

Response: These conflicting statements are to the amendment in location. The applicants had considered advancing a number of different sites for this use, prior to settling on the current site, and it is likely that as the design team had been assessing each of the possible sites, as part of their comprehensive EIAR assessment, details relating to an alternate possible location for a logistics development were cited in this EIAR. We apologise for this disconnect between the multiple reports in which attention was paid to watercourse connections, and have remedied hereunder, clarifying the matter and correcting the EIA.

The connection to the Mayne and the Cuckoo stream are both correct as the Cuckoo Stream is a tributary of the Mayne River. The drainage ditches were dry on the days of the site inspection and tests for the Ground Characterisation, but they are to be treated as a viable hydrological connection as in periods of heavy rain they can provide a hydrological link.

The previous site investigations were in relation to the previous site 150m south of the current proposed location. They are relevant to the understanding of the greater area, but were irrelevant to the current application and therefore not included.

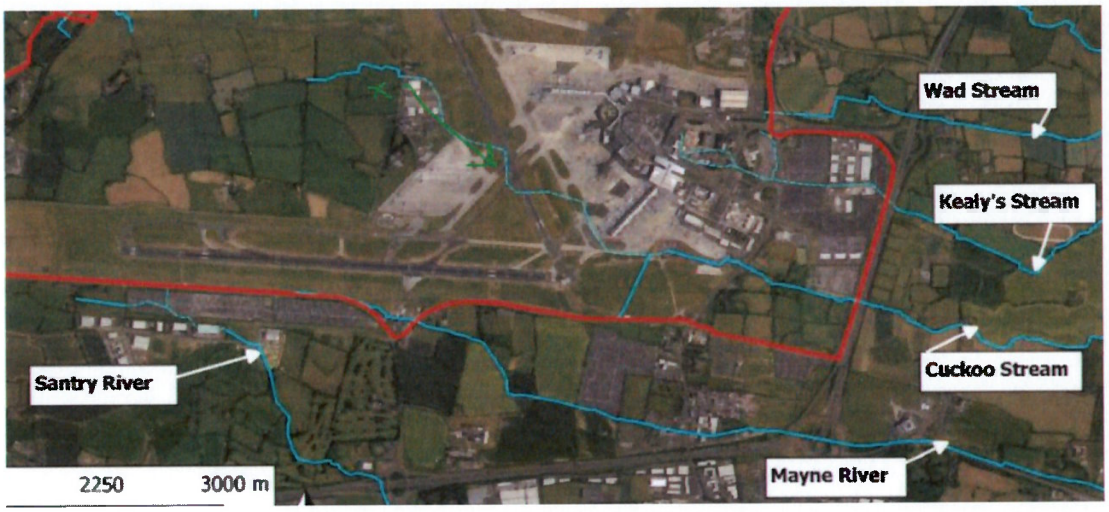


Figure 2: Hydrological Connections.

Chapter 7 (Section 7.5.2) makes reference to impacts on 'perched groundwater', however, there is no consideration of such features or effects of impacts on same in Chapter 8.

Response: Perched groundwater was not included in Chapter 8 as the consequences of perched groundwater on site would have a potential impact on land, soils, and geology as any interactions or impacts due to it are via the soils and subsoils. There is minimal potential for perched groundwater to impact on the hydrological or hydrogeological scheme of the area, as the largest aspect of it is the requirement of minimal dewetting of the subsoil.

Chapter 9 - Air Quality and Climate

CE Order (Section 11 page 28-29)

> *The air quality and climate assessment is inadequate and incomplete. The assessment of impacts on air quality lacks appropriate construction and operation phase detail and therefore, assessments provided are high level and summary in nature. No air dispersion modelling has been provided and there is no assessment of cumulative impacts.*

Response: The air and climate assessment carried out for the EIAR was high level due to the nature of the development. The assessment of the operational phase of the development contained little detail on the air quality issues as the function of the site contains no processes which can impact on climate or air. No Air Dispersion modelling was carried out as the site functions as a warehouse and logistics complex for Dublin Airport and is used as storage which means there are no aviation-related air emissions.

Chapter 10 - Noise and Vibration

CE Order (Section 11 page 29)

> *The assessment of noise and vibration is relatively high level and generic without appropriate or sufficient reference to site and project specific characteristics relevant to the noise and vibration environment.*

> *The cumulative assessment does not take account of planned and permitted development, including underpass construction works (F23A/0781 and F22A/0406) and nearby construction compounds associated with proposed works at Dublin Airport.*

Response: The wording of the CE commentary in relation to Chapter 10 is misleading and does not accurately reflect the scope, methods, or site-specific baseline and assessment set out in the submitted Noise & Vibration chapter. It is explicitly site and project-specific: it characterises the receiving environment as dominated by Dublin Airport operations and explains the variation in noise conditions depending on runway operations determined through measured survey data capturing both westerly and easterly operations. It also includes baseline vibration monitoring and applies recognised criteria (BS 6472/BS 7385) and construction/operational standards (BS 5228, BS 4142, NG4 etc) appropriate to the project stage, with transparent modelling and conservative worst-case assumptions for speculative units (loading bay activity, on-time factors, BS 4142 rating corrections etc). The CE commentary is **loose and unsubstantiated**; it does **not** identify any specific deficiency in the baseline data, modelling inputs, NSL selections or assessment assumptions, **nor** does it support its position of Chapter 10 amounting to a "generic" assessment with reference to any standard or guidance.

Chapter 10 addresses cumulative effects and assesses cumulative construction effects based on phasing and separation distances, concluding that any overlap within the wider campus would occur at greater distances (reducing cumulative risk). The development further commits to construction controls and monitoring through the CEMP framework. Noise & vibration was not cited specifically as a reason for refusal.

Chapter 11 - Landscape and Visual Impact

CE Order (Section 11 page 29):

> *The extent of tree and hedgerow removal is not defined, and it appears that tree and hedgerow removal / protection drawings have not been provided. The proposed development involves significant changes in level (>2m cut and >2m fill) in a number of places directly adjacent to the site boundary. It is not clear how level changes can be incorporated or how tree / hedgerow retention / protection can be provided at these locations. The assessment does not take account of these issues and comments in relation to loss of hedgerows / trees and landscape proposals (mounding and planting) and impacts of the same are not definitive or quantified and are general in nature.*

There is no basis to statements such as... "As a result, the development will achieve a net gain in both the range and number of hedgerow and tree species on the site, enhancing the landscape structure and biodiversity value over time." Likewise, under Cumulative Assessment – Construction Phase is no basis to statements such as... "From a landscape and visual perspective, the cumulative impact of the proposed development alongside existing and planned airport-related developments is expected to be moderately positive in the long term"

Response: The LVIA (Chapter 11 within the EIAR) prepared by RMDA, clearly identifies the subject site and its surroundings as forming part of a transitional and heavily modified landscape within the operational environs of Dublin Airport, characterised by extensive aviation infrastructure, runways, aprons, terminals, lighting, perimeter fencing and large-scale logistics buildings. FCC's own Landscape Character Assessment describes this area as an isolated rural remnant within an intensively industrialised context. In this setting, the **landscape sensitivity is correctly assessed as low to medium**, with a high capacity to accommodate aviation-related development of the nature proposed. The site is **not** identified as a landscape of special visual amenity, nor is it subject to any landscape designation warranting heightened protection.

In relation to tree and hedgerow removal, the LVIA does not suggest that all existing vegetation will be retained. Rather, it acknowledges necessary removal to facilitate development and sets out a clear landscape strategy based on retention where feasible, controlled removal where unavoidable, and comprehensive replacement planting. The Landscape Masterplan and Boundary Treatment drawings prepared by Ronan Mac Diarmada & Associates (Rev J–K) clearly define the extent of hedgerow retention, removal and replacement, including in areas subject to level changes. Approximately 71% of existing hedgerow (c.1,243 m) is retained, primarily along site boundaries where it functions as effective visual screening and landscape structure.

A detailed drawing quantifying tree and hedgerow removal, retention and replacement has now been appended for the Commission's reference, though the principle of net gain was already established in earlier RMDA drawings and Landscape Rationale submitted with the application. The Landscape Rationale provides for the planting of c.340 no. new trees and additional native hedgerow planting, exceeding existing baseline provision and delivering a measurable enhancement in landscape structure and biodiversity over time.

The criticism regarding level changes adjacent to boundaries also fails to recognise that earthworks and mounding are a deliberate and integral component of the landscape strategy. Excavated material will be reused on site to form sculpted landforms that both integrate level changes and provide visual buffering, habitat creation and screening of built form. These measures are supported by construction-stage protection protocols and long-term management commitments set out in the LVIA and CEMP framework.

Chapter 12 – Material Assets

CE Order (Section 11 page 29-30)

> *While a statement on construction phase waste is included at Section 12.3.8, the consideration, quantification and assessment of waste and related impacts arising from the construction phase has not been provided. Given the extent of the site development, 'waste' is a potentially significant aspect which should be considered in a standalone chapter. No assessment of Cumulative Impacts on Material Assets (or Waste) has been provided.*

Response: Chapter 12 (Material Assets) within the EIAR, clearly sets out a structured assessment of material assets in accordance with the EPA Guidelines (2022), explicitly identifying solid waste management as a key consideration and situating it within the broader assessment of built infrastructure and services.

Construction-phase waste is expressly addressed within Section 12.3.8, which identifies the likely waste streams arising from excavation, construction and demolition activities and confirms that, where practicable, excavated material will be reused on site, with surplus material managed under Article 27 by-product procedures or removed to appropriately licensed facilities. This approach is consistent with the waste hierarchy and the National Waste Management Plan for a Circular Economy 2024–2030. While waste is not presented as a standalone chapter, the EPA Guidelines do not mandate such an approach, provided waste is adequately assessed within the EIAR, which is the case here.

Furthermore, detailed and enforceable construction-stage mitigation is set out in the Construction Environmental Management Plan (CEMP) prepared by Waterman Moylan, which governs waste segregation, storage, handling, transport, record-keeping and disposal throughout the construction phase. The CEMP also addresses cumulative impacts by ensuring that waste arising from concurrent activities is

managed in a controlled and traceable manner, thereby preventing adverse effects on surrounding infrastructure or the environment.

Accordingly, the assessment of construction waste and material assets is robust, and the alleged deficiency arises from a difference in presentation rather than a substantive omission.

Chapter 13 - Traffic and Transport

CE Order (Section 11 page 29)

> *Given the warehouse / distribution / logistics nature of the proposed development, the study area for the traffic impact assessment is overly limited and should be extended to consider the relevant primary access / egress points to the M1 and M2 connecting to the M50 and to also roads between the site and these primary access / egress points.*
>
> *The chapter / assessment fails to provide any description or assessment of the cumulative impact of planned and proposed developments in this area, including at Dublin Airport and in the surrounding environs.*

Response: In respect of the scope of Chapter 13 Traffic and Transport, as set out in Section 3.0 in the Waterman Moylan First Party Appeal Engineering Report, Waterman Moylan have extended their TTA scope in line with the recommendations of the third additional item recommended by the Transportation Department. This recommendation required that the scope of the TTA be extended from 4 No. junctions to 10 No. junctions. It was noted as part of the extended assessment that only 1 No. of the 6 No. additional junctions actually exceeded the 5% increase threshold requiring assessment / modelling. The traffic impact of the proposed development on this junction determined that the junction remained within capacity post development. This ensures the modelling extends to the M1 and M50 and is not overly constrained and demonstrates that the proposed development will not have an adverse impact on the surrounding road network.

Chapter 15 - Accidents and Disasters

CE Order (Section 11 page 30)

It is unclear how in terms of Fire Risk (Section 15.7.3) the finding of the residual risk assessment is that:

"The facility will operate in line with the relevant fire safety plan associated with the proposed development, and therefore due to this, i.e. after the mitigation measures, the residual impact from the site is considered to be long term, positive and moderate."

Response: The CE order queries the conclusion in Section 15.7.3 that, following mitigation, the residual effect associated with fire risk is "long-term, positive and moderate." Chapter 15 (Accident and Disaster Risk) reflects the net beneficial effect of the embedded fire prevention, suppression, and firewater environmental protection measures incorporated into the Proposed Development.

The EIAR expressly identifies the potential adverse consequences of a fire ("potential risk of fire or explosion... contamination of surface waters and reduction in air quality... detrimental... in terms of smoke") and then sets out specific controls that reduce both likelihood and consequence, including:

- Formal strategy and risk assessment: "The Proposed Development will provide a detailed fire strategy and risk assessment report... to prevent any major impacts" (Section 15.6.4);
- Firewater containment designed into drainage: "surface water infrastructure has been designed to accommodate... potential firewater containment" and "reducing the likelihood of uncontrolled discharge to receiving waters" (Section 15.6.4);
- Fixed firefighting infrastructure: "a dedicated 100 mm Ø looped fire main", hydrants, isolation valves, plus "Dedicated sprinkler tanks" and hydrants constructed to Part B (Sections 15.6.4–15.6.5);
- Identified emergency response structure: "responsibility of the airport Fire and Rescue service" and "domestic fire tenders... would be adequate" (Section 15.6.4).

The chapter also confirms emergency response arrangements under the control of the "airport Fire and Rescue service". Accordingly, the residual effect is described as positive because these measures deliver a sustained improvement in on-site fire preparedness and reduce potential environmental harm (particularly uncontrolled firewater discharge), resulting in a net beneficial outcome once mitigation is applied.

Chapter 16 - Interactions and Cumulative Effects

CE Order (Section 11 page 30)

No consideration or assessment of Cumulative Effects is provided in Chapter 16

Response: Cumulative Effects are considered within each individual chapters respectively

3.4 Landscape and Visual Impact

Reason 4

It is considered that the proposed development by reason of its design will be dominating in the landscape and fails to reflect the importance of arrival at an international gateway. In this regard it is considered that the proposed development contravenes Objective DS01 of the Dublin Airport Local Area Plan (as extended).

Response:

Fingal County Council assert in Reason for Refusal No. 4, that the proposed development would be dominating in the landscape and fails to reflect the importance of arrival at an international gateway, contrary to Objective DS01 of the Dublin Airport Local Area Plan. It is respectfully submitted that this conclusion is not supported by the findings of the Landscape and Visual Impact Assessment (LVIA) or by the established character of the receiving environment.

The subject site is located within a landscape identified by Fingal County Council's own Landscape Character Assessment as being of low visual sensitivity, characterised by extensive aviation infrastructure, logistics buildings, runways, lighting, boundary treatments and large-format development associated with Dublin Airport. In this context, the proposal does not introduce incongruous or visually discordant development but rather consolidates aviation-related uses within an established core airport area.

To robustly assess visual impacts, Digital Dimensions was commissioned to prepare verified 3D photomontages from ground-level viewpoints representative of sensitive receptors, in accordance with LVIA best practice. These assessments demonstrate that, while the development will be perceptible, it will not be visually dominating when considered against the scale and character of the existing airport environment and surrounding warehousing and logistics facilities.

In relation to aerial views on approach to Dublin Airport, it is submitted that such views do not constitute recognised visual receptors within LVIA methodology, which is concerned with views experienced by people at ground level. The suggestion that the cumulative landscape impact is inadequately justified appears to rest on an overly narrow interpretation of visual sensitivity, particularly in relation to aerial views on approach to Dublin Airport.

Notwithstanding this, Dublin Airport already exerts a dominant visual presence at a metropolitan and regional scale, and the surrounding environs are populated by large-scale warehouses and cargo facilities, including recently permitted developments of a similar or greater scale, where aerial visual impact was not identified as a determinative issue.

In this context, it is notable that Fingal County Council has previously granted permission for major warehousing and logistics developments of a similar or greater scale within the immediate airport environs, including the Dixons International Transport Warehouse, located c. 2km northwest of the subject site (Reg. Ref. FW22A/0136), Horizons Logistics Park, located c. 1.3km to the south (Reg Ref. FW25A/0055E) and Both developments comprise large-format industrial buildings, are clearly visible on approach to Dublin Airport, including from elevated and aerial viewpoints, and form part of the visual experience of arrival at the Airport. In neither case was aerial visibility or perceived dominance identified by the Planning Authority as a reason for refusal or concern.

It is notable that in FCC's assertion that the proposed development constituted a contravention of **Objective DS01** of the Dublin Airport Local Area Plan, which "seeks to ensure that development at Dublin Airport is of high-quality design and finishes befitting its status as an international gateway" no concerns were raised by Fingal County Council's Architectural Design Team in relation to the quality of the proposed architectural treatment, including building form, façade articulation, material palette or overall design response.

The absence of any adverse commentary from the Architectural Design Team is a material consideration, as that team is specifically tasked with assessing whether proposed development meets the required design standards set out in Objective DS01. The proposal was accompanied by a detailed Architectural Design Statement demonstrating a coherent and organic approach appropriate to an aviation and logistics setting,

supported by a comprehensive landscape strategy. In these circumstances, it is unclear on what evidential basis the Planning Authority concluded that the proposal fails to meet the design quality requirements of **Objective DSO1.**

When considered in conjunction with the established character of the airport environs, the presence of comparable permitted warehousing and cargo developments, and the absence of any design-related concerns from the Planning Authority's own architectural design team, the assertion that the proposed development is visually dominating or fails to reflect the status of an international gateway is not substantiated by either the design assessment or the wider planning context. Without prejudice, the applicant is willing to provide additional aerial photomontages, should the Commission consider this necessary, by way of further information.

Accordingly, it is submitted that the proposal does not contravene Objective DS01 and that Reason No. 4 is not sustained on landscape or visual grounds.

3.5 Uisce Éireann Infrastructure

Reason 5

The proposed development is considered premature due to the absence of Uisce Eireann infrastructure in the proximity of the site. It is considered that the proposed private wastewater treatment system is neither applicable, appropriate, nor adequate with regards to the scale of the proposed development and would be contrary to Objective DMSO196 of the Fingal Development Plan 2023 - 2029.

Response:

Mitchell Environmental have designed an interim wastewater treatment plant to cater for the Phase 1 cargo handling development. This treatment plant is designed in accordance with the latest EPA guidelines and follows established principles for the treatment of wastewater removed from the Usice Éireann network.

Please refer to Mitchell Environmental detailed response appended to this document for further detail.

4.0 Conclusion

CWPA Planning and Architecture on behalf of the Appellant, D.A. Terminal 3 Ltd, respectfully submits that the proposed development constitutes appropriate air-transport related cargo handling infrastructure on lands zoned "DA - Dublin Airport", and that it is consistent with the proper planning and sustainable development of the area. The appeal documentation and accompanying specialist reports demonstrate that the proposal is policy-supported at national, regional and local level; that it will not prejudice the orderly operation, safety, or long-term growth of Dublin Airport (including potential future terminal and access requirements); and that the environmental assessments submitted are robust, proportionate and capable of facilitating a complete and legally compliant evaluation of the development.

It is further submitted that the matters raised by Fingal County Council either have been fully addressed within the appeal submissions and appended expert evidence or are capable of being appropriately managed by standard planning conditions and/or the statutory further information procedures available to the Commission. On this basis, the reasons for refusal are not sustained.

Accordingly, the Appellant requests that An Coimisiún Pleanála allows the appeal, overturns the decision of Fingal County Council, and grants planning permission for the proposed development, subject to such reasonable and necessary conditions as the Commission may consider appropriate.

PROPOSED MASTERPLAN

CWPA
Planning & Architecture

Full Site Landscape Masterplan - Scale 1:1000

Existing Trees/Hedges
To be removed - Total length = 506 lm

Existing Trees/Hedges
To be retained - Total length = 1243 lm

SOFT LANDSCAPE
Proposed Tree Planting = No. 466
Quercus robur, Aesculus hippocastanum, Pinus sylvestris Juglans regia, Corylus Avellana, Prunus avium, Acer campestre 'Elsrijk', Carpinus columna, Carpinus betulus 'Fastigiata', Alnus glutinosa, Salix alba, Betula pendula, Fagus sylvatica 'dawyck', Ilex aquifolium.

Amenity Grass - Public Area
300mm min. Topsoil depth

Mounding
1000mm min. per contour

Tree Pit Planting
Groundcover
Pachysandra atlinis 40%

Perennials
Galtha spp. (Snowdrift, Hyacinth) 10%
Iris sibirica 15%
Cornflora 20%

Grass
Carex pendula 15%

H1 - Hedgerow
450mm topsoil depth/100cm Single Staggered Row
Total length = 1130 lm
Species Name
Ilex aquifolium

H2 - Native Hedgerow
450mm topsoil depth/100cm Double Staggered Row
Total length = 244 lm
Species Name
Crataegus monogyna, Prunus spinosa, Ilex aquifolium, Rosa canina, Lonicera periclymenum 'Graham Thomas'

HARD LANDSCAPE
Main Roadway
(to Engineer's Specification)
Tarmacadam or similar approved

Parking Area
(to Engineer's Specification)
Tarmacadam or similar approved

Parking Area & Footpath
(to Engineer's Specification)
Tarmacadam or similar approved

Paving for Access Units
Permeable Paving: Rustic 3 size mix x 60mm. (120x160mm, 160x160mm, 240x240mm) with silver border or similar approved

Parking Permeable Paving
Permeable Paving: Rustic120x160x60mm with silver border or similar approved

Cycle Path
(to Engineer's Specification)
Tarmacadam, colour to be decided or similar approved

Pedestrian Path
(to Engineer's Specification)
Tarmacadam, colour to be decided or similar approved

BOUNDARY TREATMENT
B1 - Perimeter Fencing (2.0m high)
2m high System Wire Fence

B2 - Stone Butt Wall (0.6m) & Railing (1.2m)
1.8m high Butt Wall & Railing

Pier

N

Project Title: PROPOSED AVIATION RELATED CARGO HANDLING UNITS @ LANDS WITHIN THE TOWNLANDS OF HUNTSTOWN, CO. DUBLIN

Client: D.A. Terminal 2 Ltd

Drawing Title: Landscape Masterplan

Job No. 1729

Dwg No. 01-LM

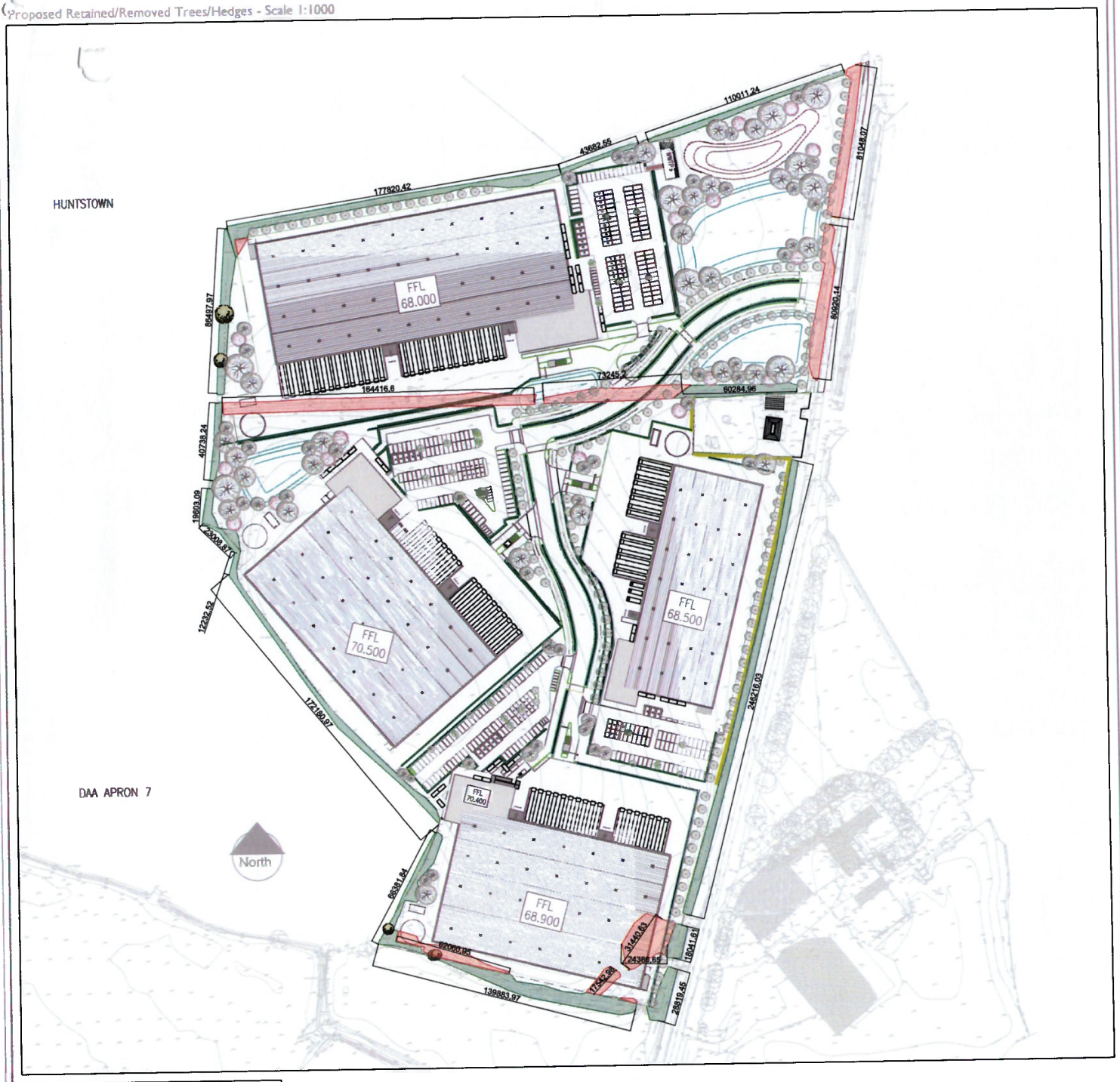
Scale 1:1000

Date 06/05/2025

REV	DATE	BY	CHECKED	DESCRIPTION
J	02/02/2026	MSC	RMD	Draft
I	23/10/2025	MSC	RMD	Draft
H	21/10/2025	MSC	RMD	Draft
G	21/10/2025	MSC	RMD	Draft

RMDA LANDSCAPE ARCHITECTS + CONSULTANTS
Roman MacDiarmada + Associates Ltd.
Landscape Architects and Consultants.
Gort Na St, Main Street, Newcastle, Co. Dublin D22A314
tel: +353 1 412 4474
e-mail: info@rmda.ie

Proposed Retained/Removed Trees/Hedges - Scale 1:1000



Existing Trees/Hedges
To be removed - Total length = 506 lm

Existing Trees/Hedges
To be retained - Total length = 1243 lm

SOFT LANDSCAPE
Proposed Tree Planting = No. 488
Quercus robur, Aesculus hippocastanum, Pinus sylvestris Juglans regia, Corylus Avellana, Prunus avium, Acer campestre 'Elsrijk', Carylus colurna, Carpinus betulus 'Fastigiata', Alnus glutinosa, Salix alba, Betula pendula, Fagus sylvatica 'Iseryck', Ilex aquifolium.

H1 - Hedgerow
450mm topsoil depth/100cm Single Staggered Row
Total length = 1130 lm
Species Name
Ilex aquifolium

H2 - Native Hedgerow
450mm topsoil depth/100cm Double Staggered Row
Total length = 244 lm
Species Name
Crataegus monogyna, Prunus spinosa, Ilex aquifolium, Rosa canina, Lonicera periclymenum 'Graham Thomas'

N

Project Title: PROPOSED AVIATION RELATED CARGO HANDLING UNITS @ LANDS WITHIN THE TOWNLANDS OF HUNTSTOWN, CO. DUBLIN	Client: D.A. Terminal 3 Ltd	Dwg No: 07 RMP
	Drawing Title: Proposed Retained/Removed Trees/Hedges	Scale: 1:1000
	Job No: 1139	Date: 08/04/2025

REV	DATE	BY	CHECKED	DESCRIPTION
J	03/03/2026	MGC	RMD	Draft
I	23/10/2025	MGC	RMD	Draft
H	21/10/2025	MGC	RMD	Draft
G	21/10/2025	MGC	RMD	Draft

Roman MacDermada + Associates Ltd
Landscape Architects and Consultants.
Gort Na S, Main Street, Newcastle, Co. Dublin. D22A314
tel +353 1 412 44 76
e-mail info@rmda.ie

RMDA LANDSCAPE ARCHITECTS - CONSULTANTS

Mitchell Environmental Ltd

C15 WF61 ~ Tankardrath
Kilberry Navan Co. Meath
M: +353 (0) 87 9609 975
T: +353 (0) 46 9055 642

VAT No: 3675363KH
Company Reg. No: 666 081
E: info@mitchellenvironmental.ie
W: www.mitchellenvironmental.ie

CWPA,
Penthouse Office,
3rd Floor,
Broadmeadow Hall,
Applewood,
Swords,
Co. Dublin
K67 Y5F2

4th February 2026

RE: FINGAL COUNTY COUNCIL INTERNAL CONSULTEE

PLANNING REPORT

Report of the Water Services Department

Register Reference: FW25A/0480E

To Whom it concerns,

With regard to the above Planning Application reference, we refer to the particular refusal as listed below:

Foul drainage (OSWWTS): Recommend refusal

1. Due to the absence of Uisce Eireann infrastructure in the proximity of the site the applicant proposes to construct a 250pe (population equivalent) private wastewater treatment system. It is considered that the generally used EPA Code of Practice for Domestic Wastewater Treatment Systems (PE≤10) (2021) is neither applicable, appropriate, nor adequate with regards to assessing the technical merits of the proposal.
2. Given the scale of the proposed development and the future development potential associate with the zoned lands, the pollution risk is considered to be large and unjustifiable.
3. It is recommended that the proposal be refused for these reasons, and that the applicant engages with Uisce Eireann in order to achieve a connection into the UE network. Whilst a gravity network is most favoured, a suitable pumping station arrangement may also be considered.

Mitchell Environmental Ltd

C15 WF61 ~ Tankardrath
Kilberry Navan Co. Meath
M: +353 (0) 87 9609 975
T: +353 (0) 46 9055 642

VAT No: 3675363KH
Company Reg. No: 666 081
E: info@mitchellenvironmental.ie
W: www.mitchellenvironmental.ie

Response to Planning Refusal comment

Mitchell Environmental have produced complete design for a new packaged Wastewater Treatment System and Polishing Filter with an increase capacity for future loadings for project in relation to FW25A/0480E.
The proposed Wastewater Treatment System is designed for a maximum loading of 15,250 litres/day with a Population Equivalent of 250 PE based on BOD g/day loadings. Please refer to the Wastewater Characterisation Form by Mitchell Environmental Ltd for more detail on all loading rates. Please see below for the supplied figures that allowed us to determine the size and specification of system needed.

Figures used to calculate the size of system needed:

- 150 staff/day with canteen facilities: 9000 litres/day
- 200 staff/day without canteen: 6000 litres/day
- 50 visitors /day: 250 litres/day

Total hydraulic loading: 15,250 litres/day

Organic loading: 9kg BOD/ day

Please see attached a wastewater treatment loading sheet that dissects this data more thoroughly.

These figures also contributed to the design and size of the percolation area. A bespoke percolation area has been designed to cater for the above maximum daily loadings. A 305 sqm Tertiary Sand Polishing filter has been proposed for the development. An underlying gravel infiltration base of 1875 sqm will be constructed below the Tertiary Sand Polishing filter. Please refer to the design specification and drawing by Mitchell Environmental Ltd.

These design proposals are carried out following a Site Characterisation carried out.
Both the design and the Site Characterisation are carried out in relation to EPA Code of Practice for domestic dwellings 2021 and also Wastewater Treatment Manuals Treatment systems for small communities, business, leisure centres and Hotels. (EPA).
We strongly contest the statement: *It is considered that the generally used EPA Code of Practice for Domestic Wastewater Treatment Systems (PE≤10) (2021) is neither applicable, appropriate, nor adequate with regards to assessing the technical merits of the proposal.*

These documents are used to determine the design proposals for commercial as well as domestic applications.

Mitchell Environmental Ltd

C15 WF61 ~ Tankardrath
Kilberry Navan Co. Meath
M: +353 (0) 87 9609 975
T: +353 (0) 46 9055 642

VAT No: 3675363KH
Company Reg. No: 666 081
E: info@mitchellenvironmental.ie
W: www.mitchellenvironmental.ie

We also stated in our cover letter proposal that:

A new discharge licence application under section 4 of the Water Pollution Act 1977 (as amended) will be applied for following any Grant of Planning.

The Section 4 Licence cannot be applied for prior to Planning approval. This Discharge Licence Application would allow us to further demonstrate the suitability for this application.
We would also challenge the assertion that *the pollution risk is considered to be large and unjustifiable.*
We have already demonstrated that the drainage/percolation area proposed is suitable for this application and presents very low pollution risk to Ground/Surface waters.

Finally, we can also consider that the even if the proposed Wastewater treatment plant is considered temporary, it can be considered for upgrade to suitable forward feed pump chamber in the future, if required.

We would welcome an opportunity to present these explanations in greater detail to An Coimisiún Pleanála,

Please do not hesitate to contact us at any time, when you have read through the report.

Yours Sincerely,

Gordon Mitchell

Gordon Mitchell
Director