

Comhairle Contae Chill Dara  
Kildare County Council



Planning Department

Date: 24<sup>th</sup> August 2018  
Our ref: ED/00673

An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

**Re:** 1. Revision of the position of the navigational aids and; 2 The decommissioning of the western taxiway that is no longer required at Dublin Weston airport, Junctions 5, M4, Lucan, Co. Dublin – Weston Aviation Academy Limited (WAAL)

Dear Sir/Madam,

Enclosed please find referral for your determination under Section 5(4) relating to ED/000673 as above.

Attached Cheque No. 951065 to the value of €110.00 in payment of same.

Yours faithfully,

  
Senior Executive Officer





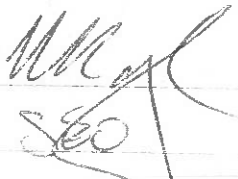
RN 30003324 ✓

# MEMO IN LIEU OF AN INVOICE

This form is to be used for all purchases of goods and services consumed

Each supporting document to support the payment should be submitted in all cases

Supplier ID	128137
Supplier Name	An Bord plecnada
Address	64 Marlborough Street Dublin 1
Purchase Order Number	N/a 400430045
GRN Number	N/a 500430925
Payment Reference (to be shown on invoice or invoice number)	ED 673
Currency	€ euro
Payment Amount	€110.00

Signed: 

Grade: SEO (AO/SEO or Analogous)

Department: planning Dept.

Date: 20.8.18

This document is an instruction to raise a payment where an invoice will not be received from the supplier. It is only to be used in exceptional circumstances.

A Purchase Order must be raised, approved and goods received on Agresso before completing this document

Email with relevant backup documentation to [accounts.payable@kildarecoco.ie](mailto:accounts.payable@kildarecoco.ie)

*liz, pls raise a pro. as soon  
as possible.*

*Joanne Farrell  
SO;*

*21/8/18  
sent to  
Finance*

## MEMORANDUM

**Date:** 20/08/2018  
**To:** Joan Bruton, Accounts Payable  
**Subject:** Payment of fee to An Bord Pleanala in  
Respect of referral of ED673 – Weston Aviation Academy Ltd

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Please arrange a cheque in the amount of €110 to be made payable to An Bord Pleanala in respect of the required fee to accompany the above Section 5 (Exempted Development Application) referral to ABP.

In this regard please find attached the Memo in Lieu of Invoice signed by Veronica Cooke A.O. Planning Dept. and the report of the Senior Planner, Liam McGree, recommending referral of the above referenced application to An Bord Pleanala for determination under section 5(4) of the Planning & Development Act, as amended.

*VA 22/8/18*

Please do not issue the cheque to An Bord Pleanala directly as the referral documents are held in the Planning Dept pending completion of the cheque run. IN this regard please notify myself, or Ger Maher in the Planning Admin Dept as soon as the cheque is ready for collection.

Regards

*Joanne Farrell*  
**Joanne Farrell**  
**Staff Officer**

# MEMO IN LIEU OF AN INVOICE

N.B. - All dates shown must be checked and will be required

Every document needed to support this payment should be submitted in all cases

Supplier ID: 128137.

Supplier Name: An Bord plecnala

Address: 64 Marlborough Street  
Dublin 1


Purchase Order Number: N/A

GRN Number: N/A

Payment Reference (to be shown on the face of Invoice number): ED 673

Currency: € euro

Payment Amount: €110.00

Signed: 

Grade: SEO (AO/SEO or Analogue)

Department: planning Dept.

Date: 20.8.18

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E-mail with relevant backup documentation to [accounts payable@kildarecoco.ie](mailto:accounts payable@kildarecoco.ie)



ED/00673

**DEVELOPER:** Weston Aviation Academy Limited (WAAL)

**SITE:** Dublin Weston Airport, Junction 5, M4, Lucan, Co. Dublin

**DEVELOPMENT:** 1. Revision of the position of the navigational aids and; 2. The decommissioning of the western taxiway that is no longer required

**RE:** Please find attached an application for a Declaration of Exempt Development under Section 5.

Please note the decision on this application is due on 06 August 2018

**DATE REFERRED:**

**TO BE ALLOCATED.**

*PP* Emma Perry  
Senior Executive Officer  
Planning Department

**REPORT:**

*Jane*  
*Please refer to a Planner*  
*Thanks Emma*

*Caroline*  
*for Board please*  
*J. O'Connell* 16/07/18  
**AN BORD PLEANÁLA**  
LTR DATED *07* OCT 2018  
LDG-  
APP-  
FROM  
SIGNED:

**DATE:** \_\_\_\_\_

PLEASE REFER TO AN BORD PLEANÁLA FOR A DETERMINATION UNDER SECTION 5(4) OF THE ACT.

*WV* 16/08/18





ED/00673

DEVELOPER: Weston Aviation Academy Limited (WAAL)

SITE: Dublin Weston Airport, Junction 5, M4, Lucan, Co. Dublin

DEVELOPMENT: 1. Revision of the position of the navigational aids and; 2. The decommissioning of the western taxiway that is no longer required

RE: Please find attached an application for a Declaration of Exempt Development under Section 5.

Please note the decision on this application is due on 06 August 2018

DATE REFERRED:

TO BE ALLOCATED.

PP Emma Perry  
Senior Executive Officer  
Planning Department

REPORT:

Jane

Please refer to a Planner

Thanks Emma

Caroline,

for report please

J. Keenly 16/07/18

DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_

PLEASE REFER TO AN SLD PLANNING FOR A DETERMINATION UNDER SECTION 5(4) OF THE ACT.

WJGree 16/08/18



# Kildare County Council

Áras Chill Dara,  
Devo Park, Naas, Co Kildare W91 X77F

Telephone (045) 980200

## PURCHASE ORDER

AN BORD PLEANALA  
64 MARLBOROUGH STREET  
DUBLIN 1  
CO DUBLIN  
IRELAND

## ORDÚ CEANNACHÁIN

Order No. \ Uimh Ord. **400430045**  
Supplier ID \ Uimh. Aitheantais Soláthraí 128137  
Order Date \ Dáta Ordaithe 21/08/2018  
Contact \ Teagmhálaí LIZ FENNER  
Page \ Leathanach 1 of 1  
RCT Contract Number \ Uimhir Conradh RCT NA

## DELIVERY ADDRESS \ SEOLADH SEACHADTA:

ACCOUNTS PAYABLE SECTION  
KILDARE COUNTY COUNCIL  
ÁRAS CHILL DARA  
DEVOY PARK  
NAAS  
CO KILDARE  
IRELAND

## INVOICE ADDRESS \ SEOLADH SONRAISC:

KILDARE COUNTY COUNCIL - L1  
SEE DELIVERY ADDRESS AS SUPPLIED  
IRELAND

PRODUCT TÁIRGE	DESCRIPTION SONRAÍ	QTY MÉID	UNIT AONAD	PRICE COSTAS	DISCOUNT LASCAINE	AMOUNT EUR SUIM EUR
FEE012	Fee for Section 5 application	1.00	EA	110.00	0.00	110.00

NET AMOUNT 110.00

VAT/CBL @ 0.0 % 0.00

ORDER NUMBER MUST BE QUOTED ON ALL DELIVERY DOCKETS & INVOICES  
CAITHFEAR AN UIMHER ORDAITHE A LUA AR GACH DUILLÍN SEACHADTA AGUS  
SONRASC

INVOICES SHOULD NOT BE ISSUED BEFORE DELIVERY OF GOODS  
NÍOR CHÓIR SONRAISC A EISIÚINT SULA SEACHADTAR EARRAÍ

TOTAL / IOMLÁN EUR **110.00**

**Joanne Farrell - Payment of Fee to ABP for ED Referral**

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**From:** Joanne Farrell  
**To:** Cooke, Veronica; Maher, Ger  
**Date:** 16/08/2018 10:52  
**Subject:** Payment of Fee to ABP for ED Referral  
**Cc:** O'Brien, Miriam; Pierce, Ciara; Boyle, Majella; McLoughlin, Mark; Mc...

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ED673 is to be referred to ABP for determination upon the recommendation of KCC Planning Dept.

As the recommendation to refer has been made by KCC, the referral fee of €110 is to be paid by KCC and not the applicant. I phoned Ann Killian (01-8737276) in the Finance Section of ABP to discuss the method of payment accepted and outlined our process regarding the centralised invoicing system. Ann has advised that as the processing section; which deals with appeals and referrals; is bound by the legislation which states the fee is to be included with the documents referred, our only options are to include a cheque with the documents referred or a member of staff to present themselves at the Boards offices with the documentation and a credit card to make the payment. Can you advise which option you prefer or which is possible?

Ann has acknowledged that electronic payments have been received; from KCC; by the Board in respect of SID applications but the legislation relating to fee payments accompanying SID applications etc is not the same as the legislation relating to appeal & referrals.

Regards

*Joanne Farrell*  
*Staff Officer*  
*Planning Dept.*  
*Kildare Co. Co.*





ED/00673

DEVELOPER: Weston Aviation Academy Limited (WAAL)

SITE: Dublin Weston Airport, Junction 5, M4, Lucan, Co. Dublin

DEVELOPMENT: 1. Revision of the position of the navigational aids and;  
2. The decommissioning of the western taxiway that is no longer required

RE: Mapping of application for a Declaration of Exempted Development under Section 5.

DECISION:

DATE REFERRED:

TO: Technicians

**AN BORD PLEANÁLA**  
LTR DATED 03 OCT 2018  
LDG- \_\_\_\_\_  
ABP. \_\_\_\_\_ FROM \_\_\_\_\_

*Emma Perry*  
Senior Executive Officer  
Planning Department

REPORT:

*mapped M4 18/7/18.*

DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_



Comhairle Contae Chill Dara  
Kildare County Council



13/07/2018

Our Ref: ED/00673

Weston Aviation Academy Limited (WAAL)  
c/o Stephen Purcell  
Future Analytics Consulting  
23 Fitzwilliam Square (South)  
Dublin 2

**RE: Application for a Declaration of Exempted Development under Section 5.  
Dublin Weston Airport, Junction 5, M4, Lucan, Co. Dublin**

Dear Sir/Madam,

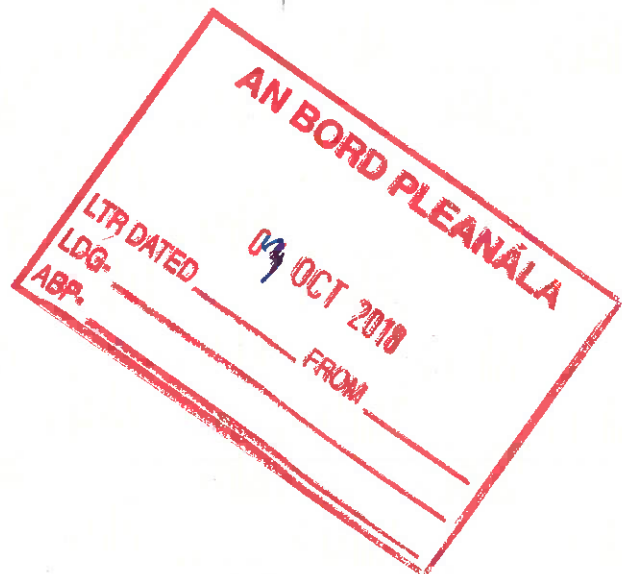
I refer to your correspondence received 09 July 2018 in connection with the above. Your application is now being considered and we will revert in due course.

Please find attached receipt no. 406252 in respect of the €80 fee, received with thanks.

Yours sincerely,

*Emmo Perry*

PP Senior Executive Officer,  
Planning Department







€80  
cheque given  
to finance  
09/07/18  
EP

ED673

5

**Kildare County Council**

**Declaration of Exempt Development under Section 5,  
of the Planning and Development Act 2000**

Incomplete application forms will  
be deemed **invalid** and **returned**



All responses must be in **block**  
**letters**

**Section 1**      **Details of Applicants**

1. Name of Applicant(s) **A. Weston Aviation Academy Limited (WAAL)**  
Phone No +353 (01) 621 7300      Fax No +353 (01) 621 7334
2. Address **Dublin Weston Airport, Junction 5, M4, Lucan, Co. Dublin, Ireland.**

**Section 2**      **Person/Agent acting on behalf of applicant (if applicable)**

1. Name of Person/Agent: Surname **Purcell** Forenames **Stephen**  
Company: **Future Analytics Consulting**  
Phone No +353 1 639 4836      FaxNo +353 (0) 1 554 7334
2. Address **Future Analytics Consulting, 23 Fitzwilliam Square (South), Dublin 2, Ireland.**

**Section 3**      **Company Details (if applicable)**

1. Name of Company **Future Analytics Consulting**  
Phone No +353 1 639 4836      Fax No +353 (0) 1 554 7334
2. Company Reg. No **488739**
3. Address **Future Analytics Consulting, 23 Fitzwilliam Square (South), Dublin 2, Ireland.**



**Section 4**      **Details of Site**

1. Planning History of Site **Please refer to the cover letter enclosed within for a full planning application history of the site. A previous section 5 request is recorded under Ref. ED 14/00535**
2. Location of Proposed Development **Dublin Weston Airport, Junction 5, M4, Lucan, Co. Dublin, Ireland**
3. Ordnance Survey Sheet No **3259 - B, 3260 - B, 3260 - C**  
Please state the Applicants interest in the site **Owner**
4. Please state the extent of the proposed development **Please refer to the cover letter enclosed within for a detailed description of the extent of the proposed development.**

**AN BORD PLEANÁLA**  
LTR DATED **03 OCT 2018**  
LDG- \_\_\_\_\_ FROM \_\_\_\_\_  
ABP- \_\_\_\_\_

5. Under what Section of the Planning and Development 2000 and/or what provision of the Planning and Development Regulations 2001 is exemption sought (*specific details required*) **Section 5(4) of the Planning and Development Act, 2000, (as amended) and Schedule 2, Part 1, General Class 32 of the Planning and Development Regulations 2001**

6. Please give a detailed description of the Proposed Development (*Use separate page if necessary*)  
**Please refer to the cover letter enclosed within for a detailed description of the proposed development.**

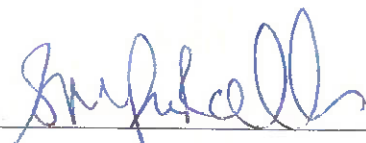
Section 5	<b>The following must be submitted for a valid application</b>
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**\*Please note that for the purposes of clarifying the items proposed, a scale of 1:2500 at A1 for all drawings submitted has been previously agreed with Jane O’Rielly of Kildare County Council by telephone. Reference to the same is contained within the cover letter.**

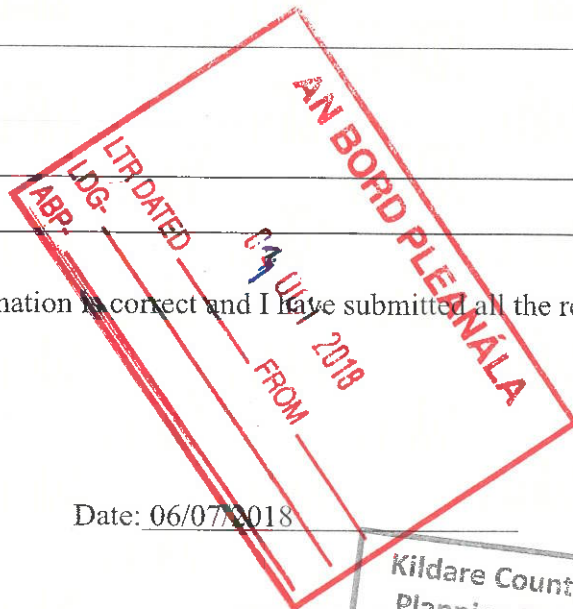
		(Please Tick)
1.	Site Location Map (1:2500 Rural Areas) (1:1000 Urban Areas)	✓
2.	A Site Layout Plan (Scale 1:500) in full compliance with Article 23 of Planning and Development Regulations 2001	✓
3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development Regulations 2001	✓
4.	All drawings to differentiate between the original building, all extensions and proposed development	✓
5.	Fee of 80 Euro	✓

Section 6	<b>Declaration</b>
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I, **Stephen Purcell** certify that all of the above information is correct and I have submitted all the required documents as outlined at Section 6 above.

Signature:   
**STEPHEN M. PURCELL**  
**(AGENT, - FAC)**

Date: 06/07/2018







South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24



06 July 2018

**Future Analytics Consulting Ltd.**  
23 Fitzwilliam Square (South)  
Dublin 2, D02RVo8, Ireland.

**Company Registration Number**  
488739

**Vat Number**  
9758939A

**T** +353 (0) 1 639 4836  
**E** info@futureanalytics.ie  
**W** futureanalytics.ie

**DIRECTORS**

**Dr. William Hynes**  
*Managing Director*  
BSc, MRUP, MSc, MSc (Econ), PhD,  
MRICS, MScSI, MRTPI, MIPI, MCILT  
Adjunct Professor - UCC

**Stephen M. Purcell**  
*Director*  
BSc (Hons), MRUP, MIPI, FSCSI, FRICS

**Joan Hynes**  
*Director*  
B. Comm, FCA

**Michael O'Leary**  
*Director*  
BA, MBA

**Re: Dublin Weston Airport, Lucan, County Dublin (DWA)**

**Request of a declaration under section 5 of the Planning and Development Act, 2000 (as amended) on whether the implementation of measures described below is or is not development or is or is not exempted development**

Dear Sir/Madam,

Future Analytics Consulting Limited (FAC), Chartered Town Planners, have been appointed by Weston Aviation Academy Limited (WAAL), to prepare this request for a declaration pursuant to section 5 of the Planning and Development Act, 2000 (as amended) on the question of whether the following is or is not development, or is or is not exempted development:

- 1. Revision of the position of the visual navigational aids (runway markings); and**
- 2. The decommissioning of part of a parallel taxiway.**

The specifics of this request are described in more detail below, following a brief background to the socio-economic potential of the airport.

Please note that for the purposes of clarifying both items, a scale of 1:2500 at A1 for all drawings submitted has been previously agreed with Fergus Brown of South Dublin County Council by telephone. However, a site location map has been prepared at a scale of 1:5000 at A1 for the purposes of adequately illustrating the adjoining and surrounding lands.

**Socio-Economic Potential of Weston Aviation Academy Limited (WAAL)**

When considering the potential for alteration to the airport, it is important to recognise the significant socio-economic opportunities that WAAL offers to both South Dublin County Council and Kildare County Council. This is both in terms of delivering direct local employment opportunities, as well as wider benefits to both established and newly emerging sectors of the regional economy, particularly in the areas of business and the equine industry. WAAL provides quality aviation services, notably executive and business operations which are considered a key growth sector in the aviation industry and has indeed provided substantial contribution to creating a competitive business environment.





The location and accessibility of the airport to road and other public transport networks, and its location within one of the most industrially productive regions in Ireland means it is well placed to further contribute to the economic and social wellbeing of the country. It is projected that employment at the airport can be increased on a permanent basis in excess of 200 in the coming years. Several executive jet operators including Hewlett Packard, Intel and Netjets have expressed a strong interest in using Weston airport as an alternative to Dublin airport. Airports not only support employment directly on-site and in the surrounding area but also indirectly through the chain of suppliers providing goods and services. Examples of indirect business includes the high number of taxi services for arriving pilots requested, as well as bed 'n' breakfast and guesthouse bookings which are made on a daily basis. Naturally, shops, restaurants and businesses in the local towns benefit from the increased footfall. The potential for sports tourism should not be overlooked. The airport is heavily used during race days by jockey's and their teams, and general visitors during horse sales. Many supporters use the airport when attending Irish Rugby games at the Aviva stadium or for key games during the GAA season.

Its potential for supporting start-ups and enterprises through an incubation unit should also not go unrecognised. Collaboration with the Local Enterprise Board could seek to enable such businesses to mature to a stage where migration to a business or technology park in the area becomes a viable option and thus, further enhancing the economic value of WAAL. College Ireland Aviation Services is based at Weston Airport and is a High Potential Start Up (HPSU) client to Enterprise Ireland, who recognise the opportunity to attract international students and visitors for aviation education and training. It is also the intention of the airport management to establish a centre for aviation excellence providing a quality training service for pilots and crew of European airlines and benefit from its lucrative returns. BREXIT may also pose an opportunity as businesses relocating from the UK could benefit from a greatly established executive airport service which offers easy access from the UK to South Dublin.

#### Overview to Section 5 Request

On the 04<sup>th</sup> December 2014 FAC on behalf of WAAL, submitted a request to South Dublin County Council (SDCC) for declaration pursuant to section 5 of the of the Planning and Development Act, 2000 (as amended) on the question of whether the implementation of four items (two of which are outlined above) were or were not development, or were or were not exempted development.

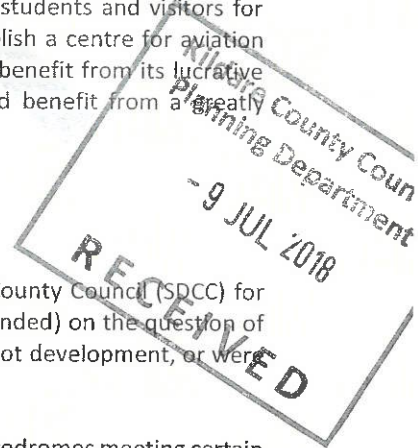
The request is founded on the fact that EU Regulation 139/2014<sup>1</sup> requires all public licensed aerodromes meeting certain thresholds in terms of passenger throughput or cargo movements to put in place certain measures for safety purposes. Therefore, WAAL is obliged to implement the measures outlined in point 1 in order to comply with the requirements of EU Regulation 139/2014 and the Irish Aviation Authority (IAA), which is the competent licensing authority for all public licensed aerodromes in Ireland.

At the time, FAC on behalf of WAAL sought confirmation under section 5 of the Planning and Development Act, 2000 (as amended) that planning permission was not required for the aforementioned items. Significantly, as the existing runway extends across the functional areas of both South Dublin County Council and Kildare County Council a concurrent section 5 request was also submitted to Kildare County Council.

The responding declarations provided from both South Dublin County Council *Ref. ED 14/0038* and Kildare County Council *Ref. ED 14/00535* on 12<sup>th</sup> January 2015 and 27<sup>th</sup> January 2015, respectively, highlighted a disparity between the conclusions reached by the two local authorities. This inconsistency in response leaves WAAL without a comprehensive decision in relation to the planning legitimacy for these works over the complete extent of the airfield site. Therefore, this current request has been prepared to rectify this matter. It is hoped that a single and comprehensive declaration might be provided on the planning status of the two items outlined in this section 5 request and, to achieve this, it is suggested that this request might be **referred directly to An Bord Pleanála pursuant to section 5(4) of the Planning and Development Act, 2000 (as amended)** to facilitate the issuing of a single comprehensive view for the site. Further information to support this request is set out below.

It should be noted that the items proposed do not facilitate the use of the airport by a larger aircraft than currently permitted by the IAA licence or intensify the use of the DWA over currently permitted levels.

<sup>1</sup> Commission Regulation 139/2014 lays down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council. Details of this regulation are available from: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:044:0001:0034:EN:PDF>







## Planning history

The aerodrome has an extensive and nuanced planning history due to the fact that it expands across the functional area of both South Dublin County Council and Kildare County Council, and moreover, the changes of owner and intentions of the site overtime.

A summary table of the planning application history can be found below in table 1 below.

Table 1: Significant elements of the site history of the aerodrome across both South Dublin County Council & Kildare County Council				
Planning Register Ref.	Local Authority	Date Lodged	Description	Outcome
TA 532	DCC	1980	Construction of an 800 metre paved runway.	Approved
YA1268	DCC	1983	Tarmac resurfacing of existing grass runway 18 - 36	Approved
85A/1406	DCC	1985	Retention of over-run to tarmac runway	Approved
88A/1534	DCC	1988	Realignment of approved runway	Approved
92A/1242	DCC	1992	Widening of the Runway by 5 metres.	Approved
98/0876	KCC	10/06/1998	Provision of stopway/clearway (457m x 23m).	Approved
SD05A/0924	SDCC	16/11/2005	Retention of 3.5m wide extension on both sides of the runway on grounds of safety.	Approved
06/074	KCC	18/01/2006	Provision of 3.5m wide extension on both sides of the runway on grounds of safety (see SD05A/0924 also).	Incomplete
06/334	KCC	01/03/2006	Provision of 3.5m wide extension on both sides of the runway on grounds of safety (see SD05A/0924 and 06/074 also).	Approved
SD08A/0779	SDCC	14/11/2008	Permission for the realignment of runways 07 & 25 to midway between the airport boundaries, along with the provision of Precision Approach Pathway Indicators (PAPIs).	Refused on appeal
08/1930	KCC	14/11/2008	Permission for the realignment of runways 07 & 25 to midway between the airport boundaries, along with the provision of Precision Approach Pathway Indicators (PAPIs).	Incomplete
08/2018	KCC	03/12/2008	Permission for the realignment of runways 07 & 25 to midway between the airport boundaries, along with the provision of Precision Approach Pathway Indicators (PAPIs).	Refused on appeal



**AN BORD PLEANÁLA**

**03 OCT 2018**

LTR DATED \_\_\_\_\_  
LDG- \_\_\_\_\_ FROM \_\_\_\_\_  
ABP. \_\_\_\_\_

**Request of declaration under Section 5 of the Planning and Development Act, 2000 (as amended)**

Clarity is sought as to the planning status of a number of specific elements at the airport site. The precise detail of these items is described further below.

1. **Whether revision of the position of the visual navigational aids (runway markings) to facilitate the inclusion of Runway End Safety Areas (RESAs) at both ends of the licensed runway of Dublin Weston Airport (DWA) as required by EU Regulation 139/2014 and the Irish Aviation Authority (IAA) the competent authority for the purposes of licensing and regulating airports and aerospace in Ireland, is or is not development, or is or is not exempted development.**

**Defining the purpose and requirement of a RESA**

The IAA had previously indicated that compliance with EU Regulation 139/2014 is mandatory for DWA, meaning that the proposed RESA will regularise WAAL's compliance with obligations under its licence in relation to RESAs. The International Civil Aviation Organisation (ICAO) defines a RESA as:

*'an area symmetrical about the extended runway centre line and adjacent to the end strip primarily intended to reduce the risk of damage to an aeroplane undershooting or overrunning the runway'.*

The proposed RESA does not constitute an extension of the runway but rather, an area of the existing pavement designated as a zone for safety of aviation operations at an airport. It does not facilitate the use of the airport by a larger aircraft than currently permitted by the IAA licence and would not intensify the use of the airport over currently permitted levels. Moreover, the fact that there will be no changes to the current and overall runway length, allows the runway to remain consistent with the IAA licence for DWA. Furthermore, the measures relate solely to runway markings. The runway itself will retain its ICAO Code 2B classifications and will comply fully with the IAA licence. All operational aspects of the airport are subject to regulation by the IAA.

**Current position of the runway**

The current licensed and operational runway at DWA has a northeast-southwest axis and traverses the functional areas of South Dublin County Council and Kildare County Council. Its surface area is in excess of 1,600 metres. From east to west the runway is comprised as follows:

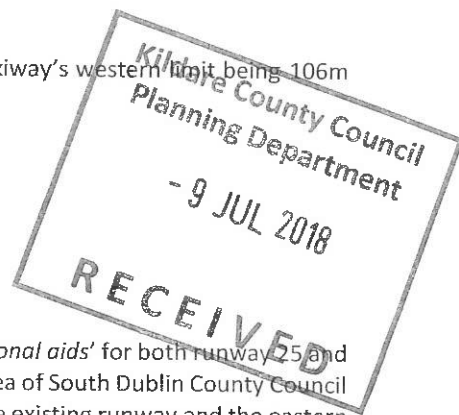
1. Eastern taxiway adjoining the threshold of runway 25 further west, with the taxiway's western limit being 106m from the eastern boundary of the airport, shared with Cooldrinagh lane;
2. Runway 25 and 07 begin west of the eastern taxiway and extend for 924m;
3. 457m of stopway/clearway to the west of runway 07; and
4. Over 200m of taxiway to the west of the stopway/clearway.

**Proposed amendments to the runway**

With respect to the above, it is proposed to reposition the markings or 'visual navigational aids' for both runway 25 and runway 07. The eastern threshold marking for Runway 25 within the administrative area of South Dublin County Council would be moved 240m to the west, as there is insufficient space currently between the existing runway and the eastern boundary of the site to accommodate the necessary RESA. This will allow the RESA for runway 25 to commence at the location of the present threshold of runway 25. It will extend westwards for a distance of 240m and will result in the movement of the eastern threshold markings of Runway 25 by a distance of 240m west of the current position.

The concurrent amendments to runway 07 would involve the movement of the existing eastern threshold markings of runway 07 to a point 240m west of its current position, moving it further away from the county boundary with South Dublin County Council and into to administrative area of Kildare County Council. The RESA for runway 07 will extend 217m beyond the repositioned threshold markings of the runway 07 coinciding with the limit of what is currently the permitted, operational and licensed stopway/clearway.

The result of the proposed alterations to the runway markings will be a RESA of 240m at the eastern end of the runway and a RESA of 217m at the western end of the runway. This will coincide and result in the absorption of the total length of the permitted stopway/clearway of 457m.





## Previous declarations

The responding declaration in *Ref. ED 14/0038* from South Dublin County Council concluded that the proposed installation of RESAs and the repositioning of the runway markings is development but complied with Class 32(b) & (c) of what is considered exempted development.

Kildare County Council's declaration in *Ref. ED 14/00535*, adopted a contrasting conclusion, suggesting that the revision of the position of visual navigation aids would constitute development and although referred to in Class 32 of the regulations, would represent a material change of use of the existing permitted stopway and clearway and thus, result in a change of activity of the same. It was considered that this raised sufficient planning considerations, with regard to its proximity to the boundaries of the overall aerodrome complex and the potential for negative impacts on adjoining properties e.g. increased noise, nuisance and general disturbances.

Furthermore, the runway was considered to contravene condition no.2 of Kildare County Council decision *Ref. 98/876* and condition no.2 of Kildare Council decision *Ref. 06/334*, and would be inconsistent with the uses specified for the stopway and the clearway in both permissions. They would therefore not constitute exempted development under Class 32 by reason that restriction on exemptions in Article 9 (1)(a)(i) of the Regulations applies.

Condition no.2 of Kildare County Council decision *Ref. 98/876*:

*'This permission is solely for the development as set out in the public notices, viz. the provision of a paved stopway/clearway and paved area, to the existing runway with associated works and shall not be construed as giving assent to the extension of the runway as such, nor to the increase to the existing number of aircraft movements nor to any change in the size or capacity of such aircraft over that already using the existing aerodrome, as indicated in submitted documentation. Any such increase or change shall be the subject of a separate planning application.'*

*Reason: In the interests of clarity and so as to permit the Planning authority to assess any increase in the number of aircraft movements or change in type or size of aircraft using the aerodrome, in greater detail.'*

Condition no.2 of Kildare County Council decision *Ref. 06/334*:

*'The stopway/clearway shall not be used for the take-off of aircraft.'*

*Reason: In the interest of clarity and the protection of the amenities of the area.'*

A stopway is defined by the ICAO in the Kildare County Development Plan 2017 - 2023 as:

*'a defined rectangular area on the ground at the end of take-off run available prepared as a suitable area in which an aircraft can be stopped in the case of an abandoned take-off. In effect a Stopway is a physical paving which increases the Accelerate-stop distance available [ASDA]'.*

A clearway is defined by the ICAO in the Kildare County Development Plan 2017 -2023 as:

*'a defined rectangular area on the ground or water under the control of the appropriate authority, selected or prepared as a suitable area over which an aeroplane may make a portion of its initial climb to a specified height. It can be a different/greater length than a Stopway and in effect it is not a physical item but is a wide clear airspace which increases the 'take-off distance available [TODA]'.*





2. Whether the decommissioning (closure) of part of a parallel taxiway that is not currently required is or is not development, or is or is not exempted development.

#### Proposed amendments to the runway infrastructure

Within the administrative boundary of South Dublin County Council, there is a section of taxiway that runs parallel to the runway on its northern side, as illustrated in the enclosed Layout Plan Proposed. This section of the taxiway is no longer required for the operation of the airport. It is therefore proposed to make changes to the markings on the ground indicating that the area is x'ed out and decommissioned for aircraft use. No physical works will be undertaken.

In the interest of clarity and to provide South Dublin County Council with a comprehensive overview of the intended proposal, FAC can confirm that the concurrent section 5 request submitted to Kildare County Council, includes a request for decommissioning a part of the taxiway within Kildare County Council's administrative boundary.

As part of the amendments required for the inclusion of the RESAs, it is proposed to permanently decommission the taxiway located adjacent to the western boundary of the licensed aerodrome. It is also proposed to retain a 5 metre wide section on the outside perimeter of the same and current taxiway as an emergency vehicle access route. These amendments would ensure that it would be impossible for an aircraft to taxi along western boundary of the aerodrome. As indicated on the layout plan proposed, this section will be planed out and grassed, sizeably reducing the length and area of the taxiway as a whole.

In the previous section 5 declaration sought, it had been proposed to install a new section of taxiway linking the western end of the runway to the existing parallel taxiway, on the runways northern side. This was to be located 200 metres to the east of the airport's western boundary within Kildare County Council's remit. However, having reviewed aircraft requirements, it is now deemed unnecessary to construct a new section of taxiway, considering an aircraft would have sufficient room to taxi to the end of the threshold and turn on the runway prior to take off. The above changes will preclude any aircraft from approaching the western boundary of the airport, entirely.

#### Previous declarations

The responding declaration in Ref. ED 14/0038 from South Dublin County Council concluded that the proposed decommissioning of the taxiway on the northern side of the runway is development but would comply with Class 32(b) of what is considered exempted development.

However, in relation to the described amendments to the taxiway on the western end of the runway within the administrative boundary of Kildare County Council, the local authority, concluded that *'the retention of a 5 metre section of the western taxiway as an emergency vehicle access route, and the installation of a new taxiway, would not constitute exempted development under Class 32 by reason that the restriction on exemptions in Article 9(1)(a)(viii) applies'*.

This was on the basis that the current length of the runway is given as 924 metres. Reference to the planning history of the aerodrome, with particular regard to Dublin County Council decision Ref. TA532 and Kildare County Council decision Ref. 98/876, the permitted runway length is 850.9m. In light of this, it was considered by Kildare County Council that a section of the existing runway does not have the benefit of a planning permission. Therefore, it was considered that all aspects of proposed amendments to the runway that would ordinarily come within the scope of Class 32 are not exempted development by reason that the restriction on exemptions in Article 9(1)(a)(viii) applies.

In relation to the above and as part of the previous section 5 requests, Ref. ED 14/0038 and Ref. ED 14/00535, FAC, undertook an exhaustive investigation of the planning history of DWA on behalf of WAAI and provided an in-depth planning history for the site. In summary, most of the existing runway was permitted in 1980 by Dublin County Council under decision Ref. TA 532. Subsequently, in 1992 permission was granted for the extension of the width of the approved runway under Ref. 92A/1242. Furthermore, in 1998 Kildare County Council under Ref. 98/0876, granted permission for the development of a stopway/clearway and infill runway pavement.









**Conclusion**

The socio-economic potential of Weston Airport demonstrates that WAAL is of significant strategic importance for both counties and its potential for providing a gateway for net worth clients, as well as an abundance of other services that would create employment and business. However, clarity and certainty is sought as regards the two points described which is considered imperative to realising the airport's socio-economic potential.

FAC considers that a referral of the concurrent section 5 requests directly to An Bord Pleanála for assessment, would allow for a comprehensive assessment of all necessary criteria, regardless of functional administrative areas, and would thus, mitigate against possible discrepancies in decision processes, due to potential piecemeal evaluations of what can be considered transboundary issues. The intended result would be one final and robust resolution adopted through analysis of the aerodrome as a whole, whereby all parties concerned could be satisfied.

To date, there has been a discrepancy in the decision making processes, due to the complex and nuanced planning history of the aerodrome and as a result of the site extending across the functional areas for both South Dublin County Council and Kildare County Council.

This has resulted in declarations from both authorities that have been formulated based upon assessments of each jurisdiction area, in isolation of consideration of the complete site. For instance, the rather difficult assessment of the contended section of the runway, as to whether it benefits from a planning permission or not, intrinsically forms part of wider considerations, such as, the decommissioning and amendments of separate sections of the present runway, stopway /clearway and taxiway. To date this has been assessed by each local authority, based on planning criteria limited to the area of their administrative boundary, rather than considering such amendments and their potential impact to the aerodrome as a whole.

The existing runway extends across the functional areas of both jurisdictions, however a consistent approach is sought. As a result, it is suggested that this matter might be **referred directly to An Bord Pleanála by each authority, pursuant to section 5(4) of the Planning and Development Act, 2000 (as amended)**, to allow a single declaration on the planning status to be provided as to whether the two items described, are or are not development or are or are not exempted development. It should be noted that the measures proposed do not facilitate the use of the airport by a larger aircraft than currently permitted by the IAA licence or intensify the use of the DWA over currently permitted levels.

We hereby enclose the required fee of €80.00, together with all relevant documentation, and look forward to receipt of acknowledgement of this request for declaration in due course.

Yours sincerely,

*Ciarán O'S*

Ciarán O'Sullivan  
BA MRUP  
Consultant Town Planner  
Future Analytics Consulting Ltd.

**AN BORD PLEANÁLA**  
LTR DATED 03 OCT 2018 *Stephen M. Purcell*  
LDG- \_\_\_\_\_ FROM \_\_\_\_\_  
ABP- \_\_\_\_\_  
Stephen M. Purcell  
BSc. (Hons) MRUP MIPI FCSI FRICS  
Director  
Future Analytics Consulting Ltd.

Kildare County Council  
Planning Department  
- 9 JUL 2018  
**RECEIVED**

[Encl.]

- Completed Application Form
- 'Section 5' declaration application fee - €80.00
- Drawing: Site location Map
- Drawing: Layout Plan - Existing
- Drawing: Layout Plan - Proposed
- Application to Kildare County Council

