

Comhairle Contae Chill Dara
Kildare County Council



Date: 26th March 2024.
Our Ref: ED/1107.

Weston Aviation Academy Ltd.
c/o Stephen Purcell,
KPMG Future Analytics,
1 Stokes Place,
St. Stephens Green,
Dublin 2.

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Weston Airport, Backweston, Leixlip, Co. Kildare.

Dear Sir/Madam,

I refer to your correspondence received on 26th February 2024 in connection with the above.
Please find enclosed Receipt no. FIN1/0/496999 in relation to fee paid.

Please find attached declaration made under Section 5 of Planning and Development Acts 2000 (as amended) in this regard.

Yours sincerely,

**Senior Executive Officer,
Planning Department.**



Declaration of Development & Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended).

ED/1107.

WHEREAS a question has arisen as to whether the installation of a system of visual aids to navigation and the standardisation of the widths of taxiways to 11m (with wider than 11m for turns) at Weston Airport, Backweston, Leixlip, Co. Kildare, is exempted development

AS INDICATED on the plans and particulars received by the Planning Authority on 26th February 2024

AND WHEREAS Weston Aviation Academy Ltd. requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

- (a) Planning and Development Act 2000 (as amended); and
- (b) Planning and Development Regulations 2001 (as amended);

AND WHEREAS Kildare County Council has concluded that the proposal comprises of development to which the provisions of the following applies:

- (a) Sections 2, 3, and 5 of the Planning and Development Act 2000 (as amended); and
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- (c) Class 32 in Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) - Exempted Development – "The carrying out by any person to whom an aerodrome licence within the meaning of the Irish Aviation Authority (Aerodromes and Visual Ground Aids) Order, 1998 (No. 487 of 1998) has been granted, of development consisting of,
 - (c) the construction, erection or alteration of visual navigation aids on the ground including taxiing guidance, signage, inset and elevated airfield lighting or apparatus necessary for the safe navigation of aircraft, within an airport."
- (d) The current length of the runway is established as 924 metres by ED535. On the basis of the planning history of the aerodrome (namely Dublin County Council reg. ref. TA532 and Kildare County Council reg. ref. 98/876), the permitted runway length is 850.9m. In view of the aforesaid, it is considered that a section of the existing runway does not have the benefit of a planning permission. Therefore, all aspects of the referral 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.

Comhairle Contae Chill Dara Kildare County Council



NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the installation of a system of "Visual Aids to Navigation" and the standardisation of the widths of taxiways to 11m (with wider than 11m for turns) at Weston Airport, Backweston, Leixlip, Co. Kildare

IS development and IS NOT EXEMPTED development pursuant to Section 2(1), Section 3 (1) and Section 5(7) of the Planning and Development Act as amended and Article 6, Class 32 (c) and Article 9 of the Planning and Development Regulations as amended.

Please note that any person issued with a declaration under subsection 2(a) of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

26th March 2024.

Senior Executive Officer,
Planning Department.



/KildareCountyCouncil

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Comhairle Contae Chill Dara, Áras Chill Dara, Páirc Uí Dhubhuí, An Nás, Co. Chill Dara, W91 X77F
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KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1107.

Name Of Applicant(s):	Weston Aviation Academy Ltd.
Address Of Development:	Weston Airport, Backweston, Leixlip, Co. Dublin. W23 XHF8.
Development Description:	The installation of a system of "Visual Aids to Navigation" and the standardisation of the widths of taxiways to 11m (with wider than 11m for turns).
Due date	25/3/2024.

Introduction

This is a request for a **DECLARATION** under Section 5(1) of the Planning and Development Act 2000 (as amended) to establish whether under Section 5 of the Act the works consisting of the installation of a system of "Visual Aids to Navigation" and the standardisation of the widths of taxiways to 11m (with wider than 11m for turns).

Site Location

The proposed site is located at Weston Airport, Backweston Park, Lucan and lies within the county boundary of Kildare County Council. It is noted that the site borders South Dublin County Council. The site is bounded to the north by the River Liffey and Leixlip Reservoir, to the south by the R403 and to the west by greenfield agricultural fields with a number of residential / farming properties beyond that. The east of the site is within the authority of South Dublin County Council.

Description of Proposed Development

The proposed development involves,

- The installation of a system of "Visual Aids to Navigation" including all associated electrical ducting, an aeronautical beacon, runway edge lights, runway lead-in lights, runway threshold identification lights, Precision Approach Path Indicators (PAPIs), runway end lights stopway lights, runway guard lights, stop-bars, taxiway edge lights, apron floodlighting, base wiring and blank covers, and wind-direction indicator (windcone lights).

- The standardisation of the width of the straight sections of all taxiways to 11m (with wider than 11m for turns)

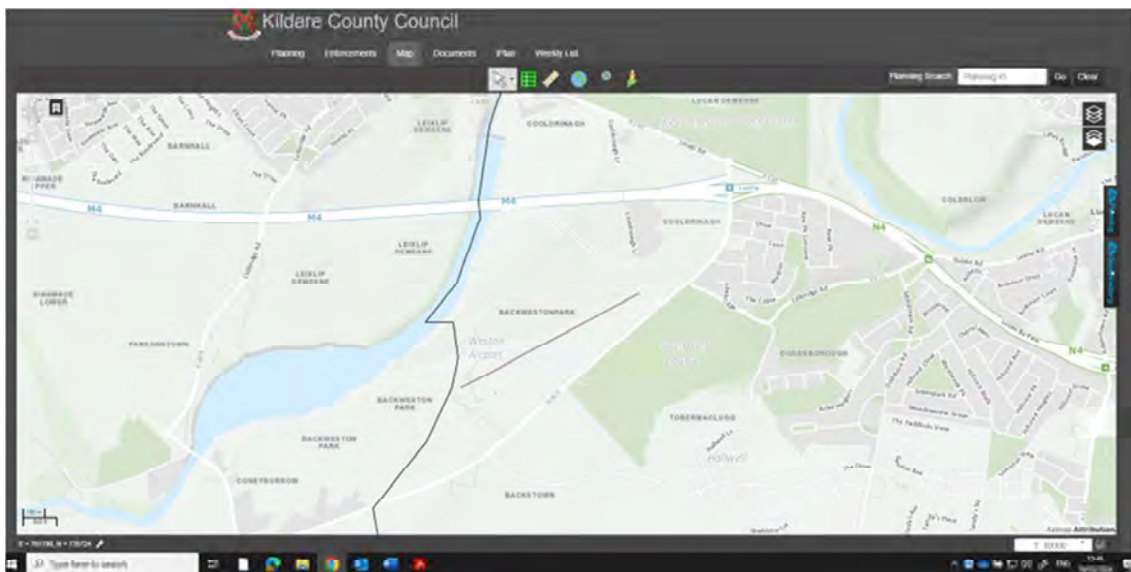


Fig 1: Site Location and context

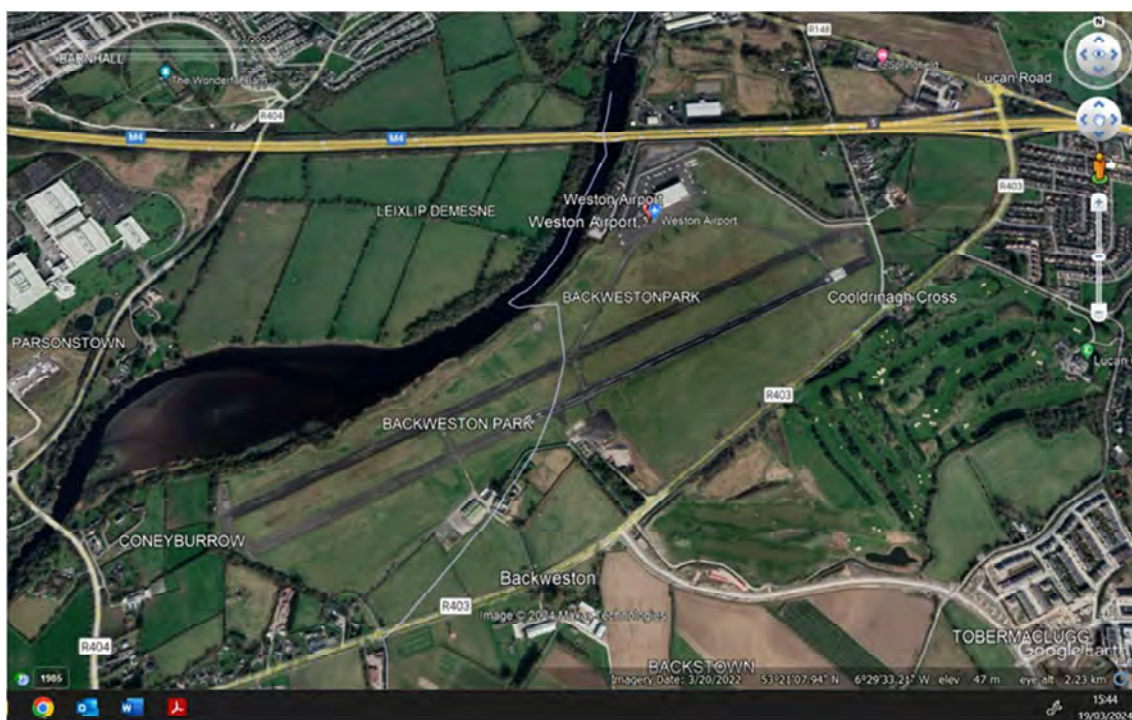


Fig 2: Aerial view of subject site (Google Images)

Planning History

ED535

Exemption Certificate refused for

1. 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) – It is stated that this is required by EU Regulation 139/2014 and by the Irish Aviation Authority (IAA), the competent authority for the purposes of licensing and regulating airports and aerospace in Ireland.

2. The installation of additional visual navigational aids (consisting of runway lighting and precision approach pathway indicators or PAPIs).

3. The decommissioning (removal through planed over and grassed out) of the western taxiway that is no longer required, while retaining a 5 metre wide section for use as an emergency vehicle access route, in conjunction with the installation of a new taxiway linking between the runway and the existing parallel taxiway 200 metres to the east of the airport boundary.

Reg. Ref. 08/2018

Permission **Refused** by ABP (PI 09.235146) to relocate the existing runways 07&25 to midway between the airport boundaries, incorporating the existing stopway to include the provision of Precision Approach Path Indicators (PAPS's). This will also include runway end safety areas of 130 metres etc.

Reg. Ref. 06/334

Retention Permission **Granted** by ABP (PL09.218796) for tarmaced hard shoulder, approx 3.5m wide to either side of the runway and the stopway/clearway for safety reasons.

Reg. Ref. 05/2297

Retention Permission **Granted** for the retention of earthen embankment (acoustic barrier), 341 meters long, varying in height from 2 meters to 2.6 meters and average width of 6.5 meters

Reg. Ref. 04/2141

Permission **Refused** by ABP (PI 09213348) for the refurbishment and change of use of building marked A from farmyard building to the storage of light aircraft, for the retention of extension alterations and refurbishment of building marked B and for the change of use from farmyard building etc.

Reg. Ref. 98/876

Permission **Granted** for the provision of a 457M long by 23M wide paved stopway/clearway and a small infill paved area 50.9M long x 23M wide to the existing runway with associated drainage and fencing at Weston Aerodrome.

Relevant Legislative Background

Planning and Development Act 2000 (as amended)

Section 2(1)

'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3(1)

In this Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 5(7) EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered, having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Planning and Development Regulations 2001 (as amended)

Article 6(1)

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 (1)(a)(i)

Restrictions on exemption.

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would —

- (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.,
- (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,
- (iii) endanger public safety by reason of traffic hazard or obstruction of road users,
- (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,
- (vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of

archaeological, geological, historical, scientific or ecological interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development

plan, in the draft variation of the development plan or the draft development plan, save any excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),,,

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

(d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.

Part 1, Class 32

The carrying out by any person to whom an aerodrome licence within the meaning of the Irish Aviation Authority (Aerodromes and Visual Ground Aids) Order, 1998 (No. 487 of 1998) has been granted, of development consisting of,

- (c) *the construction, erection or alteration of visual navigation aids on the ground including taxiing guidance, signage, inset and elevated airfield lighting or apparatus necessary for the safe navigation of aircraft, within an airport,*

Assessment

Having regard to the definition of “development” under Section 3(1) of the Planning and Development Act 2000 (as amended), the proposed works are considered to constitute development.

The application seeks a Declaration of Exempted Development on the basis of Article 6, which relates to development carried out by any person to whom an aerodrome licence within the meaning of the Irish Aviation Authority (Aerodromes and Visual Ground Aids) Order, 1998 (No. 487 of 1998) has been granted. The application has been assessed against each of the provisions of Class 1, column 2 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended):

Development by statutory undertakers

Class 32 *“The carrying out by any person to whom an aerodrome licence within the meaning of the Irish Aviation Authority (Aerodromes and Visual Ground Aids) Order, 1998 (No. 487 of 1998) has been granted, of development consisting of,*

(c) the construction, erection or alteration of visual navigation aids on the ground including taxiing guidance, signage, inset and elevated airfield lighting or apparatus necessary for the safe navigation of aircraft, within an airport,

It should be noted that while there are limitations associated with Class 32, there are no limitations associated with part (c).

Unauthorised development

Under reg. ref. TA532 permission was granted for an 800m long runway within South County Dublin on 23/04/80.

Within County Kildare permission was granted for a 50.9m infill paved area to the existing runway under reg. ref. 98/876. This also included the 45m long by 23 wide paved stopway/clearway, which was not to be construed as extending the existing runway.

On the basis of reg. ref. TA532 and reg. ref. 98/876, the permitted runway length at the aerodrome is 850.9m. There are no other planning permissions relating to the operating length of the threshold runway.

Under ED535, the stated runway length specified in the section 5 referral the subject of this report is 924m. And as such an existing section of the runway does not have the benefit of planning permission.

The unauthorised nature of sections of the runway was also established by An Bord Pleanála, most notably by the Inspector who dealt with the appeal for reg. ref. 08/2018 (PL 09.235146). extracts from the report states;

“I would draw the Board’s attention to an apparent discrepancy with regard to the overall length of the existing runway. It would seem that the 800m long runway permitted under PA Ref. No. TA532 did not extend all the way up to boundary between the administrative areas of South Dublin and Co. Kildare and, therefore, whilst PA Ref. No. 98/876 provided for a 457m long paved stopway / clearway and a small infill paved area of 50.9m within Co. Kildare, it would seem that this construction did not actually extend to immediately adjoin the existing runway in South Dublin to form a continuous length i.e. there was a gap between these two areas of construction within the South Dublin area. I note that in response to a request for further information the applicant has set out the planning history of the entire aerodrome complex and it would appear that this serves to confirm that an intervening section of the existing runway between the two administrative areas of South Dublin and Co. Kildare does not appear to have the benefit of

planning permission. I would advise the Board that this is of relevance in that the subject proposal will involve the continued use of this area as a section of runway and, therefore, the proposed development would appear to be reliant on an element of unauthorised development. During my assessment of ABP Ref. No.PL06S. 232683 I held reservations regarding the planning status of the full extent of the runway”

In a slight divergence from the Inspector’s wording, it is considered that the unauthorised development status of the runway is more clear-cut on the basis of (a) the 50.9m permitted length in Kildare, (b) the 800m permitted length in South Dublin, and (c) the current given length of 924m. Therefore, any exemption sought in the referral under Class 32 of the Planning Regulations falls within the remit of the restriction in Article 9(1)(a)(viii). That is to say that the revisions and alterations proposed in items 1, 2 and 3 of the referral would consist of the extension and alteration of an unauthorised structure.

Conclusion

Section 2 of the Planning and Development Act 2000 (as amended) defines ‘works’ as any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

Section 3(1) of the Act defines a ‘development’ as except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Thus, the installation of a system of "Visual Aids to Navigation" and the standardisation of the widths of taxiways to 11m (with wider than 11m for turns) does constitute development as defined by section 3(1).

However, it is considered that a section of the existing runway does not have the benefit of a planning permission. Therefore, all aspects of the referral 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.

Recommendation

It is recommended that the applicant be advised that the development as described in the application ***is development and is not exempted development***.

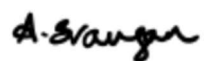
A handwritten signature in black ink, appearing to read 'Lisa Rothwell'. The signature is written in a cursive, flowing style.

Executive Planner

Date: 19/03/2024



Kehinde Oluwatosin
Senior Executive Planner
25/03/2024



Aoife Brangan
A/SP
26/03/24

**Declaration of Development & Exempted Development under
Section 5 of the Planning and Development Act 2000 (as amended)**

WHEREAS a question has arisen as to whether

- *The installation of a system of "Visual Aids to Navigation" including all associated electrical ducting, an aeronautical beacon, runway edge lights, runway lead-in lights, runway threshold identification lights, Precision Approach Path Indicators (PAPIs), runway end lights stopway lights, runway guard lights, stop-bars, taxiway edge lights, apron floodlighting, base wiring and blank covers, and wind-direction indicator (windcone lights).*
- *The standardisation of the width of the straight sections of all taxiways to 11m (with wider than 11m for turns)*

constitutes a development or exempted development.

AS INDICATED on the plans and particulars received by the Planning Authority on 26/02/2024

AND WHEREAS *Weston Aviation Academy Ltd.* requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

- a. Planning and Development Act 2000 (as amended); and
- b. Planning and Development Regulations 2001 (as amended);

AND WHEREAS Kildare County Council has concluded that the proposal comprises of development to which the provisions of the following applies:

- (1) Sections 2, 3, and 5 of the Planning and Development Act 2000 (as amended); and
- (2) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- (3) Class 32 in Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) - Exempted Development – *"The carrying out by any person to whom an aerodrome licence within the meaning of the Irish Aviation Authority (Aerodromes and Visual Ground Aids) Order, 1998 (No. 487 of 1998) has been granted, of development consisting of, (c) the construction, erection or alteration of visual navigation aids on the ground including taxiing guidance, signage, inset and elevated airfield lighting or apparatus necessary for the safe navigation of aircraft, within an airport."*
- (4) The current length of the runway is established as 924 metres by ED535. On the basis of the planning history of the aerodrome (namely Dublin County Council reg. ref. TA532 and Kildare County Council reg. ref. 98/876), the permitted runway length is 850.9m. In view of the aforesaid, it is considered that a section of the existing runway does not have the benefit of a planning

permission. Therefore, all aspects of the referral 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.

NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that -

The installation of a system of "Visual Aids to Navigation" and the standardisation of the widths of taxiways to 11m (with wider than 11m for turns).

IS development and IS NOT EXEMPTED development pursuant to Section 2(1), Section 3 (1) and Section 5(7) of the Planning and Development Act as amended and Article 6, Class 32 (c) and Article 9 of the Planning and Development Regulations as amended.

Please note that any person issued with a declaration under Section 5 of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

Signed: _____

Appendix 1: Appropriate Assessment Screening

APPROPRIATE ASSESSMENT SCREENING REPORT AND DETERMINATION



(A) Project Details

Planning File Ref	ED/1107
Applicant name	Weston Aviation Academy Ltd.
Development Location	Weston Airport, Backweston, Leixlip, Co. Dublin. W23 XHF8.
Site size	31.069ha
Application accompanied by an EIS (Yes/NO)	no
Distance from Natura 2000 site in km	The Rye Water Valley/Carton SAC is located c.1.1km to the north of the subject site.
Description of the project/proposed development – The installation of a system of "Visual Aids to Navigation" and the standardisation of the widths of taxiways to 11m (with wider than 11m for turns).	

(B) Identification of Natura 2000 sites which may be impacted by the proposed development

			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	No
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath.	<i>Is the development within a Special Area of Conservation whose qualifying interests</i>	No

	<u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	<i>include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?</i>	
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	No
4	Impacts on birds in SPAs <u>Sites to consider:</u> Poulaphouca Reservoir	<i>Is the development within a Special Protection Area, or within 5 km of same?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT		
<i>Selected relevant category for project assessed by ticking box.</i>		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	x
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		
Having regard to the proximity of the nearest SAC and given the location, nature and extent of the proposed development it is not considered there would be potential to affect the ecological integrity and conservation objectives of the site.		
Name:	Lisa Rothwell	
Position:	Executive Planner	
Date:	19/03/2024	

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Director of Services Order



I, Gabriel Conlon, Director of Services, am duly authorised and delegated by Chief Executive's Order number: CE51474 to make the following Order in accordance with Section 154 of the Local Government Act, 2001, as amended.

ORDER NO: DO51887 **Section:** Planning

SUBJECT: ED1107.
Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Weston Airport, Backweston, Leixlip, Co. Kildare.

SUBMITTED: File Ref. ED1107 with recommendation from the A/Senior Planner and reports from the Council's Technical Officers.

ORDER: I hereby order the following Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended) hereby decides that the proposed development is development and is not exempted development.

MADE THIS 27 DAY MARCH YEAR 2024 SIGNED: Gabriel Conlon
A/DIRECTOR OF SERVICES

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
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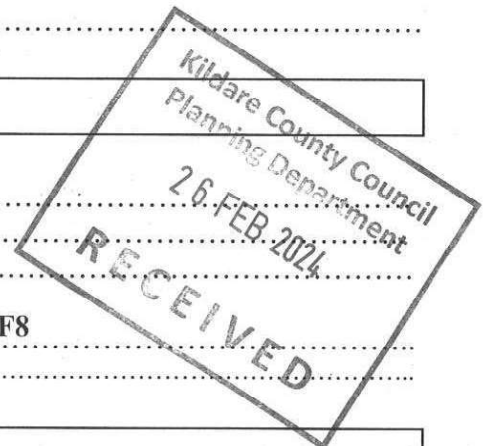
1. Name of Applicant(s) A. Surname... Weston Aviation Academy Ltd. Forenames.....
Phone No..... Fax No.....
2. Address... Weston Airport, Backweston, Leixlip, Co. Dublin, W23 XHF8

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

1. Name of Person/Agent: Surname... Purcell Forenames... Stephen
Phone No... +353 87 63 44 507 Fax No.....
2. Address... KPMG Future Analytics, 1 Stokes Place, St. Stephen's Green, Dublin 2

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

1. Name of Company... Weston Aviation Academy Ltd.
Phone No... +353 (0)1 621 7300 Fax No.....
2. Company Reg. No... 517770
3. Address... Weston Airport, Backweston, Leixlip, Co. Dublin, W23 XHF8



Section 4	Details of Site
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1. Planning History of Site... 98/0876; 06/334; 08/2018.
2. Location of Proposed Development... Weston Airport, Backweston Park, Lucan, Co. Dublin.
3. Ordnance Survey Sheet... 3194-22, 3194-21, 3260-A, 3259-B, 3193-25
4. Please state the Applicants interest in the site... Owner
5. Please state the extent of the proposed development... 31.069 ha

6. 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*).....

Class 32(c) of Part I of the Second Schedule to the Planning and Development Regulations, 2001 (as amended)

7. Please give a detailed description of the Proposed Development (*Use separate page if necessary*).....

• The installation of a system of 'Visual Aids to Navigation', including all associated electrical ducting, an aeronautical beacon, runway edge lights, runway lead-in lights, runway threshold identification lights, Precision Approach Path Indicators (PAPIs), runway end lights, stopway lights, runway guard lights, stop-bars, taxiway edge lights, apron floodlighting, base wiring and blank covers, and wind-direction indicator (windcone) lights.

• The standardisation of the width of the straight sections of all taxiways to 11m (with wider than 11m for turns).

(Please refer to the cover letter enclosed within for a detailed description of the proposed development)

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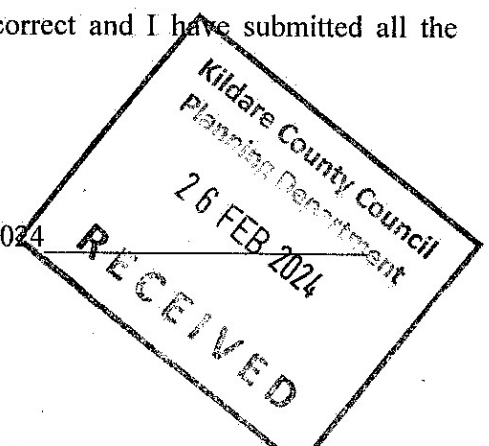
(Please Tick)		
1.	Site Location Map (1:2500 Rural Areas) (1:1000 Urban Areas)	✓
2.	A Site Layout Plan (Scale 1:500) in full compliance with Article 23 of Planning and Development Regulations 2001	✓
3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development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

Section 6	Declaration
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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: 

Date: 23/02/2024





KPMG
1 Stokes Place
St. Stephen's Green
Dublin 2
D02 DE03
Ireland



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Fax +353 1 412 1122
Internet www.kpmg.ie

Section within KPMG: KPMG Future Analytics, Chartered Planning and Development Consultants

Planning Department
Kildare County Council
Áras Chill Dara
Devoy Park
Naas
Co. Kildare

23 February 2023

Re: Request for a declaration under Section 5 of the Planning and Development Act, 2000 (as amended)

Submitted for: Weston Aviation Academy Ltd.

Site Address: Weston Airport, Backweston Park, Lucan, Co. Dublin.

Dear Sir/Madam,

1.0 Introduction

KPMG Future Analytics (Chartered Planning and Development Consultants), 1 Stokes Place, St. Stephen's Green, Dublin 2, represent our client, Weston Aviation Academy Ltd. of Weston Airport, Backweston, Leixlip, Co. Dublin, and hereby submit this request for a declaration under Section 5 of the Planning and Development Act, 2000 (as amended) on the question of whether the following is or is not development and is or is not exempted development at the above-referenced site address:

- *the installation of a system of 'Visual Aids to Navigation', including all associated electrical ducting, an aeronautical beacon, runway edge lights, runway lead-in lights, runway threshold identification lights, Precision Approach Path Indicators (PAPIs), runway end lights, stopway lights, runway guard lights, stop-bars, taxiway edge lights, apron floodlighting, base wiring and blank covers, and wind-direction indicator (windcone) lights.*
- *the standardisation of the width of the straight sections of all taxiways to 11m (with wider than 11m for turns).*

A separate Section 5 declaration request in relation to the proposal within the administrative area of South Dublin County Council has been submitted in parallel to South Dublin County Council.

2.0 Aviation Regulation

EU Regulation 139/2014 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, Weston Aviation Academy Ltd. is obliged to implement the measures outlined above 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.

3.0 Description of Project

Details of the proposal for this Section 5 declaration request are shown in the enclosed drawings (existing and proposed site layout plans). The eastern threshold marking for runway 25 within the administrative area of South Dublin County Council (SDCC) will **not** be moved

or altered. The existing threshold marking for runway 07 within the administrative area of Kildare County Council (KCC) will **not** be moved or altered.

The proposal includes the installation of a system of 'Visual Aids to Navigation', including all associated electrical ducting, an aeronautical beacon, runway edge lights, runway lead-in lights, runway threshold identification lights, Precision Approach Path Indicators (PAPIs), runway end lights, stopway lights, runway guard lights, stop-bars, taxiway edge lights, apron floodlighting, base wiring and blank covers, and wind-direction indicator (windcone) lights. It will also provide for the standardisation of the width of the straight sections of all taxiways to 11m (with wider than 11m for turns).

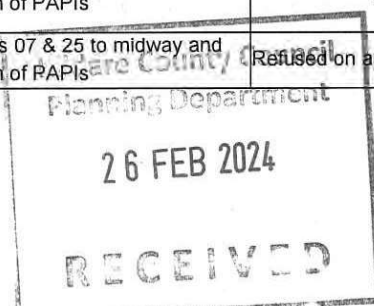
It is proposed that base wiring and blank covers will be installed partially on the western section of the existing stopway/clearway and partially to the west of the existing stopway/clearway in the KCC administrative boundary for the purpose of future proofing planned runway composition/configuration, which will be subject to a future planning consent process and IAA licensing approval. The base wiring and blank covers proposed shall be wired, electrically connected but **not** included in the system switching plan and **not** functional and should **not** be interpreted as the change of use of the existing stopway/clearway or extension of runway. The proposed installation in Kildare County Council (KCC) administrative boundary will provide an airfield light system to optimise runway safety and will **not** change the position or use of the existing runway or stopway/clearway.

The installation of the proposed lighting system will enhance the operability, visibility, and safety of the runway in all weather conditions. The proposed visual navigational aids will be installed entirely within the licensed aerodrome boundary and is consistent with the obligation of Weston Aviation Academy Ltd. under Weston Airport's IAA license for current operations. For the avoidance of any doubt, it is prudent to note that the proposals do **not** facilitate longer operating hours or increased night-time operations, to that which is permitted at Weston Airport.

4.0 Previous Planning History

Weston Airport has an extensive and nuanced planning history due to the fact that it expands across the functional area of both SDCC and KCC, and moreover, the changes in ownership and evolution of the site over time. A summary table of the relevant planning application history can be found below:

Reg. Ref.	Local Authority	Date	Description	Outcome
TA 532	DCC	1980	Construction of 800 metres paved runway	Approved
YA1268	DCC	1983	Tarmac resurfacing of existing grass runway 18-36	Approved
85A/1406	DCC	1985	Retention of overrun 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	1998	Provision of stopway/clearway (457m x 23m)	Approved
SD05A/0924 (PL06S.21626 2)	SDCC	2005	Retention of 3.5m wide hard shoulder on both sides of the runway	Approved
06/334 (PL09.218796)	KCC	2006	Retention of 3.5m wide hard shoulder on both sides of the runway	Approved
SD08A/0779 (PL06S.23268 3)	SDCC	2008	Realignment of runways 07 & 25 to midway and provision of PAPIs	Refused on appeal
08/2018 (PL09.235146)	KCC	2008	Realignment of runways 07 & 25 to midway and provision of PAPIs	Refused on appeal



We acknowledge conditions attached to planning permission SD05A/0924 (PL06S.216262) and 06/334 (PL09.218796) that any increase in aircraft movements over and above permitted levels or any material change in the type or capacity of existing aircraft using the aerodrome shall be subject to a separate planning permission. Planning permissions KCC 98/876 and KCC 06/334 (ABP PL09.218796) also provide for conditions that the stopway/clearway in KCC shall not be used for the take-off of aircraft. The project will not result in any increase or material change to the aircraft movements or type or capacity of existing aircraft in Weston Airport. While within the KCC area of Weston Airport, operations will also continue to respect the conditions set out and will not use the existing stopway/clearway as a runway or for the take-off of aircraft. The project is to ensure compliance with the requirements of EU Regulation 139/2014 and the IAA license for current operations and would not intensify the use of the airport over permitted levels.

5.0 Conclusion

We submit that the aforementioned project **is development** as set out under Section 3(1) of the Planning and Development Act, 2000 (as amended) and **is exempted development** within the scope of Class 32(c) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001 (as amended).

The project will be installed entirely within the licensed aerodrome boundary and is consistent with the obligation of Weston Airport under its IAA-issued license for current operations. It is considered the proposal has observed the planning history on site and would not contravene existing planning permissions and conditions to the aerodrome.

The application fee of €80 will be paid by credit card in parallel to the submitting of the declaration request.

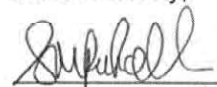
In support of this Section 5 application, please find the following plans and particulars enclosed:

Planning Application Requirements		
DOCUMENT TITLE	AUTHOR	COPY
PLANNING PARTICULARS		
Cover Letter w. planning context (this document)	KPMG FA	1
Section 5 Application Form	KPMG FA	1
DRAWINGS		
Site Location Plan	NBK Architects	1
Existing Site Layout Plan	NBK Architects	1
Proposed Site Layout Plan	CS Consulting	1

We trust that the enclosed particulars are in order and sufficient to enable Kildare County Council to issue a Section 5 Declaration at the earliest possibility.

We look forward to receiving acknowledgement of this request in due course. Should you have any queries on the enclosed, please do not hesitate to contact the undersigned.

Yours sincerely,



Stephen M. Purcell MIPI FSCSI FRICS
Director & Co-Head
KPMG Future Analytics

Encl.





FINANCE CASH OFFICE
Kildare County Council
Áras Chill Dara
Devooy Park
Naas
Co. Kildare
28/02/2024 15:18:46

Receipt No. : FIN1/0/496999

ED1107 Weston Aviation Academy Ltd

PLANNING EXEMPT DEVELOP FEES 80.00
GOODS 80.00
VAT Exempt/Non-vatable

Total : 80.00 EUR

Tendered :
Credit Card 80.00
Visa
**5468
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Change : 0.00

Issued By : Sally Pallister Finance Section
From : Financial Lodgement Area
Vat reg.No.0440571C