



An
Bord
Pleanála

**Board Direction
PL06D.248782**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12th December 2017.

The Board considered the appeals for the upgrades of the Stillorgan Reservoir (PL06D.248782) and the Varray Water Treatment Site (PL27.247745) at the same meeting and was satisfied, for the reasons outlined in the Inspector's report, that the upgrade of the Stillorgan Reservoir and the Varray Water Treatment Site did not form part of one project and were independent projects neither of which was dependent on the other.

In respect of the Stillorgan Reservoir (PL06D.248782), the Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to:

- a) the provisions of the Water Services Strategic Plan published by Irish Water
- b) the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022
- c) the planning history of the site
- d) the inclusion of the Stillorgan Reservoir on the original Environmental Protection Agency's Remedial Action List (2008) which established a need for an upgrade of the existing water storage facilities in order to protect the safety and security of a drinking water supply

- e) all documentation on file including the Environmental Impact Statement and the mitigation measures contained therein
- f) the report of the Senior Planning Inspector

it is considered that subject to compliance with the conditions set out below, including compliance with the mitigation measures proposed, that the impact of the proposed development on the environment would be acceptable and that the proposed development:

- would not seriously injure the visual and residential amenities of properties in the area or detract from Sandyford Business District,
- would be acceptable in terms of pedestrian and road traffic safety and convenience,
- would not seriously injure the ecology of the area,
- would not seriously detract from the character or setting of significant features of architectural heritage,
- would have positive effects on human health
- would not be likely to give rise to a risk of flooding
- would generally comply with the development plan policy for the area.

The Board considered that the landscaping, design and layout proposed together with the mitigation measures and commitments of the applicant and the conditions below will ensure that a high standard of development is achieved including in relation to environmental protection and land use and amenity.

Environmental Impact Assessment

The Board considered that the Environmental Impact Statement submitted with the application, the report, assessment and conclusions of the Inspector with regard to this file and other submissions on file, was adequate in identifying and describing the direct, indirect and cumulative effects of the proposed development. The Board completed an environmental impact assessment, and agreed with the Inspector's assessment of the likely significant effects of the proposed development, and agreed with the conclusions on the acceptability of the mitigation measures proposed and

residual effects. The Board generally adopted the report of the Inspector. The Board concluded that, subject to the implementation of the mitigation measures proposed, the effects of the proposed development on the environment were acceptable.

Appropriate Assessment Screening

The Board noted the Appropriate Assessment Screening determination carried out by the Inspector. The Board concurred with the Inspector's determination, and adopted the conclusions and recommendations in this regard. The Board is, therefore, satisfied, having regard to the nature, location and scale of the subject development, that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on the South Dublin Bay Special Area of Conservation (Site Code: 000210), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024) or the North Bull Island Special Protection Area (Site Code: 004006) or any other European sites, in view of their conservation objectives, and that there was, therefore, no need to progress to Stage 2 Appropriate Assessment.

The Board therefore considered that, subject to compliance with the conditions set out below, the development was in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 10th of April 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures and commitments identified in the Environmental Impact Statement and other plans and particulars submitted with the planning application, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

3. Prior to commencement of any works at the site the developer shall submit and agree in writing with the planning authority:
 - (a) a final Traffic Management Plan
 - (b) a final Construction and Environment Management Plan
 - (c) details of the developer's appointment of an Ecological Clerk of works and definition of roles and responsibility of that person
 - (d) details of the developer's nomination of relevant personnel for the purposes of communicating with the public for the duration of the construction.

Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

4. The landscaping scheme submitted to the planning authority shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted landscaping scheme, a revised landscaping scheme shall be submitted to and agreed in writing with the planning authority to include the following:

- (a) The attenuation pond shall be planted with emergent vegetation
- (b) Provision may be made for additional water features on site in order to comply with Condition 5 below and enhance the suitability of the site for bat species present.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity and the protection of the environment.

5. A suitably qualified bat specialist shall identify detailed measures to enhance the suitability of the site for bat species present. This shall include consideration of opportunities to increase the area of water bodies on site and other measures which may be recommended. These detailed measures shall be submitted to and agreed in writing with the planning authority, prior to commencement of development and shall be implemented as part of the development.

Reason: To minimise the impact of the development on bats.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

Note: A copy of the Direction to issue with the Order.

Board Member

Date: 14th December 2017

Maria FitzGerald

