



**An
Bord
Pleanála**

**Board Direction
BD-009667-21
ABP-309812-21**

At a meeting held on 13/12/2021, the Board considered the documents and submissions on file generally and the report of the inspector in relation to the proposed development for the increase in the capacity of the Dublin Waste to Energy Facility in the Poolbeg Peninsula, Dublin City, from 600,000 tonnes per annum to 690,000 tonnes per annum.

The Board decided to approve the proposed development under section 226 of the Planning and Development Act 2000, as amended, based on the reasons and considerations and subject to the conditions as set out below.

Reasons and Considerations

In coming to its decision, the Board had particular regard to the policies and objectives of the following:

1. the EU Waste Directive (2018/851/EC),
- b. the National Planning Framework Plan 2018-2040,
- c. the National Development Plan 2021-2030,
- d. the Climate Action Plan, 2021,
- e. the Waste Action Plan for a Circular Economy - National Waste Policy, 2020-2025,

- f. Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031,
- g. the Eastern – Midlands Region Waste Management Plan 2015 – 2021,
- h. the policies of the planning authority, as set out in the Dublin City Development Plan 2016-2022,

The Board also had regard to the following:

- a) the distance to dwellings or other sensitive receptors,
- b) the submissions made in connection with the application,
- c) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites,
- d) the Appropriate Assessment screening report of the Inspector, and
- e) the report and recommendation of the Inspector,

Screening for Appropriate Assessment:

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment which comprises a built-up urban area, the distances to the nearest European sites and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment screening documentation and the Inspector's report. In completing the screening exercise, the Board agreed with and adopted the report of the Inspector and that, by itself or in combination with other development,

plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment:

The Board completed an environmental impact assessment of the proposed development, taking account of:

- (a) the nature, scale, location and extent of the proposed development which would comprise an increase in the capacity of an existing operational facility to accept an additional 90,000 tonnes of waste per annum,
- (b) the Environmental Impact Assessment Report (EIAR) and associated documentation submitted in support of the application,
- (c) the submissions received from the prescribed bodies, and
- (d) the Inspector's report.

The Board considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development, and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated documentation submitted by the applicant and submissions made in the course of the application.

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- The increase in Waste Delivery Vehicle movements into and from the site and the resulting traffic during the continued operational phase would be mitigated by the implementation of the terms and conditions of the approval by An Bord Pleanála for the Waste to Energy Facility under reference number PL29S.EF2022.

- The increase in airborne emissions from the chimney stacks and Waste Delivery Vehicles and resulting air quality impacts during the operational phase would be mitigated by ongoing adherence to the emission limit levels set by the EPA Industrial Emission Licence, and by the continued implementation of the terms and conditions of the approval by An Bord Pleanála for the Waste to Energy Facility under reference number PL29S.EF2022.
- The minor localised impacts on residential amenity during operational phase would be mitigated by the continued implementation of measures to manage traffic movements under the terms and conditions of the approval by An Bord Pleanála for the Waste to Energy Facility under reference number PL29S.EF2022 and adherence to the emission limit levels set by EPA Industrial Emissions Licence related to the protection of air quality.
- Positive environmental impacts would result during the operational phase by the diversion of non-hazardous municipal waste away other less-environmentally sustainable waste management processes with an associated reduction in carbon emissions, the diversion of such waste delivery traffic away from built-up and densely populated areas, and the contribution of electricity to the grid.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Proper planning and sustainable development:

It is considered that, subject to compliance with the conditions set out below, the proposed development would accord with European, national, regional and local

planning, transportation, waste and related policy, would not have an unacceptable impact on the landscape or ecology, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be 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, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Other than the additional waste tonnage granted under this permission, the continued operation of the waste to energy facility shall be in accordance with the terms and conditions of the parent permission for the facility that was granted approval by An Bord Pleanála under PL29S.EF2022.

Reason: In the interest of clarity.

3. For the avoidance of doubt, the waste thermally treated at the facility shall be in the form of municipal non-hazardous residual waste generated primarily in the Dublin Waste Management Region, as proposed in the application and permitted under the parent permission for the facility that was granted approval by An Bord Pleanála under PL29S.EF2022.

Reason: In the interest of clarity.

