

An
Coimisiún
Pleanála

Direction
CD-020124-25
ABP-312131-21

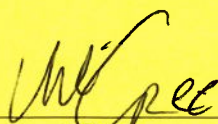
The submissions on this file and the Inspector's report were considered at a meeting held on 03/07/2025.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

The Commission noted the requests for the reopening of the Oral Hearing, as set out in submissions received in 2022 and 2024, and considered that, having regard to the content of further information submitted with the application and the content of submissions received, that it is not necessary to re-open the Oral Hearing, in accordance with the inspector's recommendation.

Planning

Commissioner:


Liam McGree

Date: 04/07/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission had regard to:

- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner (consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State).
- (b) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive.

The Commission also had regard to the following in coming to its decisions:

- (c) **European legislation**, including of particular relevance:
 - The relevant provisions of EU Directive 2011/92/EU as amended by Directive 2014/52/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
 - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
 - Directive 2000/60/EC for establishing a framework for Community action in the field of water policy.

- Directive 91/271/EEC concerning urban wastewater treatment, as updated by Directive (EU) 2024/3019.
- Directive 2006/118/EC concerning groundwater as updated by Directive 2014/80/EU.
- Directive 2006/7/EC concerning bathing water.
- Directive 2008/56/EC concerning marine environmental policy, as updated by Directive (EU) 2017/845.
- Directive 86/278/EEC concerning sewage sludge.
- Directive 91/676/EEC concerning nitrates.

(d) National legislation, including of particular relevance:

- European Communities Water Policy Regulations 2003, as amended.
- The European Communities Environmental Objectives (Surface Waters) Regulations 2009, as amended.
- The Urban Waste Water Treatment Regulations 2001, as amended.
- The Waste Water Discharge (Authorisation) Regulations 2007, as amended.
- The Bathing Water Quality Regulations 2008, as amended.
- The European Communities (Quality of Shellfish Waters) Regulations 2006, as amended.
- The European Communities Environmental Objectives (Groundwater) Regulations 2010, as amended.
- European Union (Good Agricultural Practice for the Protection of Waters) Regulations 2022.

(e) National and regional planning and related policy, including:

- The National Planning Framework – Ireland 2040, which contains objectives to increase wastewater treatment capacity, to develop the Greater Dublin Drainage project, and to provide increased uptake of anaerobic digestion.
- The National Development Plan – Ireland 2040, which identifies the Greater Dublin Drainage Project as one of the major infrastructure projects, which is required in the context of the National Planning Framework and accommodating growth and is described as a Strategic Investment Priority.
- Climate Action Plan 2025 & 2024, which seeks to develop resilience and adaptation of Ireland's water infrastructure.
- The objectives and targets of the National Biodiversity Action Plan 2023-2030.
- The Water Services Policy Statement 2024-2030 which states that the Greater Dublin Drainage project is central to the growth priorities of the National Planning Framework.
- The Water Action Plan 2024: A River Basin Management Plan for Ireland which lists the proposed Greater Dublin Drainage project for investment.
- The Water Services Strategic Plan 2014-2021 which identifies the requirement for the Greater Dublin Drainage project in order to meet obligations under the Urban Wastewater Treatment Directive.
- The Uisce Éireann Strategic Funding Plan 2025 – 2029 which recognises the importance of the Greater Dublin Drainage project;
- The National Waste Management Plan for a Circular Economy 2024-2030.
- A Waste Action Plan for a Circular Economy 2020 – 2025.
- The National Wastewater Sludge Management Plan 2016 – 2041, which identified a need for a sludge hub centre for Fingal County to be developed as part of the Greater Dublin Drainage project.

- The Uisce Éireann Capital Investment Plan 2020-2024 which list the proposed Greater Dublin Drainage project as a strategic and significant project for which funding has been mandated.
- The Marine Planning Policy Statement 2019, noting the Marine Planning Policy Statement Consultation 2025
- National Marine Planning Framework, Project Ireland 2040, which supports proposals for the treatment and disposal of wastewater by Uisce Éireann.
- The National Adaptation Framework - Planning for a Climate Resilient Ireland 2024.
- The Greater Dublin Strategic Drainage Study (2005) and the Greater Dublin Drainage Strategy: Overview & Future Strategy (2018).
- The Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly (RSES) 2019-2031 which specifically supports the GDD project.
- The National Biodiversity Action Plan 2023-2030.

(f) Local planning policy including:

- The provisions of Fingal Development Plan 2023 – 2029, including the Core Strategy and Policies IUP3, IUP 4 and IUP5 to facilitate the provision of a new Regional Wastewater Treatment Plant, to support the delivery of the Greater Dublin Drainage project and the implementation of other recommendation of the Greater Dublin Strategic Drainage Study, and policy IUP9 to support energy extraction and other resources from sludge. Regard was also had to the Green Belt, High Technology and Open Space zoning objectives for the Clonshaugh site and to the other zoning objectives of the wider project and policies relating to ecological buffer zones.
- The provisions of the Dublin City Development Plan 2022-2028 including Policy SI1 to facilitate Uisce Éireann in the provision of wastewater services to meet the future needs of the city and the Region and section

9.5 which states that the Greater Dublin Drainage project remains a critical wastewater infrastructure investment priority in the short-medium term.

- The provisions of the Dublin Airport Local Area Plan 2020 which states that the growth of Dublin Airport will be subject to the progress of the various improvement works and subject to the agreement of Irish Water, specifically referencing the Greater Dublin Drainage project.
- The provisions of the Meath County Development Plan 2021-2027, including objective INF OBJ 1 to promote the sustainable development of water supply and drainage infrastructure in the region in accordance with the Greater Dublin Drainage Study and the Water Services Strategic Plan.
- The Fingal County Council Climate Action Plan 2024-2029.
- The Fingal Biodiversity Action Plan 2023-2030.

(g) The following matters:

- (i) The evidence provided that increased wastewater infrastructure capacity is required in the Dublin region in order to meet demands from planned growth and to divert load from the Ringsend Wastewater Treatment Plant.
- (ii) The nature, scale and design of the proposed development including the Wastewater Treatment Plant and the Sludge Hub Centre, the level of water treatment which is proposed to be achieved and the suitability of the proposed land spreading of biosolids.
- (iii) The adoption of conservative limits for odour at the site boundaries and the pattern of development in the vicinity of the proposed project components.
- (iv) The design, layout, landscaping and architectural treatment of the proposed Wastewater Treatment Plant and Sludge Hub Centre and the architectural treatment of the proposed pumping station at Abbotstown.
- (v) The range of proposed mitigation measures set out in the submitted in the documentation lodged including the Environmental Impact

Assessment Report and associated Addendum, and the revised Natura Impact Statement incorporating appropriate assessment screening.

- (vi) The submissions made in relation to the application including those submitted at the Oral Hearing.
- (vii) 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.
- (viii) The independent Marine Ecologist Specialist report prepared by Dr. Antony Knights.
- (ix) The Specialist Reports prepared by the Inspectorate Marine Ecologist and the Inspectorate Environmental Scientist.
- (x) The reports and recommendations of the Inspectors, comprising the report (ABP-301908), dated 10th October 2019, and the Addendum report (ABP-312131) dated 12th June 2025, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

Appropriate Assessment: Stage 1

The Commission agreed with and adopted the screening assessment and conclusions carried out in the Inspector's Addendum report that the only European sites in respect of which the proposed development has the potential to have a significant effect are North-west Irish Sea candidate SPA (004236), Baldoyle Bay SAC (000199), Baldoyle Bay SPA (004016), Rockabill to Dalkey Island SAC (003000), Ireland's Eye SPA (004117), North Dublin Bay SAC (000206), North Bull Island SPA (004006), Malahide Estuary SPA (004025), Malahide Estuary SAC (000205), Howth Head Coast SPA (004113), South Dublin Bay and River Tolka Estuary SPA (004024), Rogerstown Estuary SAC (000208), Rogerstown Estuary SPA (004015), South Dublin Bay SAC (000210), Lambay Island SAC (000204), Lambay Island SPA (004069), Dalkey Islands SPA (004172), Skerries Islands SPA (004122), Rockabill SPA (004014) and Codling Fault Zone SAC (003015) are the European Sites for which there is a likelihood of significant effects.

Appropriate Assessment: Stage 2:

The Commission considered the revised Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, the Oral Hearing submissions and the Inspector's assessment contained in the Addendum report ABP-312131. The Commission carried out an appropriate assessment of the implications of the proposed development for North-West Irish Sea candidate SPA (004236), Baldoyle Bay SAC (000199), Baldoyle Bay SPA (004016), Rockabill to Dalkey Island SAC (003000), Ireland's Eye SPA (004117), North Dublin Bay SAC (000206), North Bull Island SPA (004006), Malahide Estuary SPA (004025), Malahide Estuary SAC (000205), Howth Head Coast SPA (004113), South Dublin Bay and River Tolka Estuary SPA (004024), Rogerstown Estuary SAC (000208), Rogerstown Estuary SPA (004015), South Dublin Bay SAC (000210), Lambay Island SAC (000204), Lambay Island SPA (004069), Dalkey Islands SPA (004172), Skerries Islands SPA (004122), Rockabill SPA (004014) and Codling Fault Zone SAC (003015) in view of the sites' conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the appropriate assessment, the Commission considered, in particular:

- (i) the likely direct and indirect impacts arising from the proposal, both individually, or in combination with other plans or projects,
- (ii) the mitigation measures, which are included as part of the current proposal, and
- (iii) the conservation objectives for the European sites.

In completing the appropriate assessment, the Commission accepted and adopted the appropriate assessment carried out in the Inspector's Addendum report in respect of the potential effects of the proposed development on the aforementioned European sites, having regard to the sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' conservation objectives.

Environmental Impact Assessment:

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

- (a) the nature, scale and extent of the proposed development,
- (b) the Environmental Impact Assessment Report, EIAR Addendum and associated documentation submitted in support of the application,
- (c) the submissions and observations received from planning authorities, the observers and prescribed bodies in the course of the application and the submissions of the applicant, planning authorities, observers and prescribed bodies during the Oral Hearing,
- (d) the Inspector's Reports, together with the Specialists' Reports.

The Commission considered that the Environmental Impact Assessment Report and associated Addendum, supported by the documentation submitted by the applicant, identifies and describes adequately the direct, indirect and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report and associated Addendum complies with the provisions of EU Directive 2011/92/EU as amended by EU Directive 2014/52/EU.

The Commission agreed with the summary and examination, set out in the Inspectors' reports, of the information contained in the Environmental Impact Assessment Report and associated Addendum and associated documentation submitted by the applicant and submissions made in the course of the application. The Commission is satisfied that the Inspectors' reports set out how these various environmental issues were addressed in the examination and recommendation and are incorporated into the Commission's decision. The Commission also agrees to the additional mitigation measures to address EIA issues, as discussed and recommended in the Inspector's Addendum report (conditions no. 5 and 7 refer).

Notwithstanding the conclusion reached in respect of the inability of the proposed measures to fully mitigate the impact on climate (GHG emissions), it is considered that the environmental effects would not justify a refusal of planning permission having regard to the overall benefits of the proposed development. It is considered,

that in assessing and granting permission for the proposed development, the Commission has, in so far as practicable, performed its functions in a manner consistent with the applicable climate plans and objectives as required by section 15 of the Climate Action and Low Carbon Development Act, 2015, as amended.

Reasoned Conclusions on the Significant Effects:

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

- Positive long-term impacts to **population and human health** from the provision of adequate wastewater and sludge treatment to support planned residential and economic growth in the Dublin region while securing compliance with European Directives and supporting legislation. Positive long-term indirect impacts to human health from the protection of bathing water and commercial shellfish areas.
- Significant negative temporary impacts on **population and human health** as a result of noise, vibration and disturbance during the construction phase. The sensitive receptors which are likely to be impacted include parts of Connolly hospital, St Francis hospice and some individual houses. Potential impacts on Connolly Hospital are minimised through design mitigation measures including the construction of a 1km tunnel to accommodate the orbital pipeline through the campus, by mitigation measures to ensure maintenance of emergency routes and by measures to minimise air and noise effects on the use of wards. Temporary rehousing of residents will be considered in the case of some individual residential properties, in the absence of other mitigation being sufficient. Dust impacts and emissions from vehicles during the construction phase will have a temporary and highly localised impact. Notwithstanding the mitigation measures proposed, the residual impacts during the construction phase could still be significant albeit localised and temporary in duration.
- The adoption of conservative **odour** criteria minimises potential adverse impacts due to odour. The design, implementation and monitoring of odour abatement systems and adherence to the adopted criteria set out in the EIAR, EIAR Addendum and an additional environmental condition will ensure that odour

emissions do not reach a level that could cause odour nuisance at or beyond the site boundary of any of the facilities.

- Sustainable **marine water quality** impacts by the provision of wastewater treatment capacity to meet planned growth and to reduce reliance on Ringsend wastewater treatment plant.
- In the operation phase marine water quality impacts on shellfish areas are mitigated by the dispersal characteristics at the location of the diffuser and the design of the wastewater treatment plant and UV treatment. **Bathing water quality** will not be reduced due to the location of the diffuser in an area of high natural dispersal characteristics, the range of design measures and the control which can be exercised over flows to, and discharges from, the proposed plant. Excellent water quality at Velvet Strand will be maintained.
- The construction phase risks to **water quality** are avoided by the geological conditions including the depth of boulder clay separating existing shallow irrigation wells and Baldoyle Bay SAC from the microtunnelling under the estuary and are mitigated by use of trenchless crossings of streams, by the application of best practice including the measures set out in the CIRIA guidance and the adherence to IFI guidelines. There would be no significant residual impact. As a result of seabed dredging there will be impacts to marine water quality from suspended sediment increases, which would be of short duration. Subject to mitigation measures relating to deposition of dredged material and monitoring there would be no significant residual impact.
- The location of all development and most of the construction in areas of low flood risk minimises potential water quality impacts relating to flooding in the construction phase and avoids downstream **flooding** of other lands. The location of compound 10 within Flood Zone A results in low level risk of adverse effects on the environment due to the proximity to European sites, which is mitigated by the measures in the CEMP including the piling method, bunding and use of best practice in relation to storage of material. The development will not result in any significant residual impacts relating to flooding.

- There is potential for a number of slight or short and very localised negative impacts to **marine biodiversity**. Air surface venting or bentonite breakout associated with tunnelling under Baldoyle Bay SAC would impact saltmarsh on a very small area for a short duration. Discharged sediment from dredging in the marine environment could impact on reefs, which is mitigated by the controlled discharge of dredge spoil. Underwater noise and vibration from works at the tunnel interface could lead to avoidance of the area by marine mammals, which is mitigated by measures set out in the Environmental Impact Assessment Report, including measures set out in the Department of Arts, Heritage and the Gaeltacht's Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters (2014).
- There is potential for short-term moderate impacts on **birds** including bird species which are special conservation interests of Natura sites. This could result from visual disturbance impacts at microtunnelling compounds and the presence of vessels working in the marine environment during dredging and pipe laying. There is potential for disturbance to birds as a result of noise from piling at the interface and at the fibre optic cable. Mitigation measures which are presented will ensure that there are no significant residual impacts.
- Operational **traffic** will result in increased congestion at junctions which are already congested, and which will be congested at the time of operation of the wastewater treatment plant. The proposed development will add to delays at those locations.
- During the construction phase, embodied carbon, traffic emissions and combined construction emissions will contribute a moderate, adverse and short-term impact on **climate**, and with mitigation will be reduced to minor adverse, not significant and short-term. During the operational phase, combined carbon emissions are moderate to major adverse, significant and long-term and following mitigation will have a moderate adverse, significant and long-term effect.
- There is potential for **cumulative impacts** during the construction phase on marine mammals and marine water quality as a result of dredging activities for the permitted Howth Harbour development (ABP 314487); on soils and geology as a result of the East Meath - North Dublin 400kV line and the Racecourse Park

development (ABP 311315), which will be mitigated by a coordinated approach between the project teams, in accordance with the commitment set out in the CEMP Addendum. In addition to these projects, a number of other developments were identified in the EIAR which may give rise to cumulative impacts across a range of environmental factors during the construction phase, and while short-term in duration, are best mitigated through additional coordination with the relevant project teams and the GDD project team. An additional environmental mitigation measure is necessary to ensure this coordination with other projects is captured in the CEMP.

- There is potential for significant **cumulative impacts on climate** arising from the totality of the wastewater treatment system when assessed together with the Regional Biosolids Storage Facility. However, the cumulative benefits of the totality of the treatment system extend beyond the impact of the emissions. Utilising biogas generated on site to power the proposed wastewater treatment plant, as well as producing a biosolid fertiliser by-product, represents a sustainable development approach.

The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in the Environmental Impact Assessment Report and associated Addendum and the additional environmental mitigation measure which requires coordination of construction between other specified projects and the proposed project, and subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Commission agree with and adopted the assessment and conclusions set out in the original Inspector's report (ABP-301908) as updated by the Addendum report (ABP-312131).

Proper Planning and Sustainable Development

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would enable sustainable residential and economic growth through the delivery of increased wastewater treatment capacity and facilities for sludge treatment, would be acceptable in terms of the quality of effluent discharged to the receiving water environment and would not result in a deterioration in the quality of bathing water or shellfish waters, would assist Ireland in meeting obligations set down under European legislation, national legislation, national and regional planning policy, would not be contrary to the designation of the Dublin Bay Biosphere and would be acceptable in terms of odour, noise, vibration, landscape, cultural heritage impacts and traffic. The Commission accepted that the generation of GHG during operation as a result of emissions following mitigation remains a moderate adverse, significant and long-term effect on climate and will arise as a result of significant population growth projected to 2040. The Commission acknowledges that the production of biogas which will be used on-site for energy recovery and the production of biosolids will assist in a shift towards a circular economy. Finally, the Commission concluded that approval of the proposed development is consistent with the provisions of the Water Framework Directive and promotes compliance with the requirements of the Directive.

The Commission reviewed all relevant zoning objectives of the Fingal Development Plan 2023-2029 and the Dublin City Development Plan 2022-2028 and is satisfied that the proposed development materially contravenes the greenbelt and open space zonings of the Fingal Development Plan 2023-2029 and adopts the Inspector's Addendum Report in this regard. The Commission is satisfied that the proposed development otherwise complies with all other relevant provisions of the Fingal Development Plan 2023-2029 and the Dublin City Development Plan 2022-2028 and that the Fingal Development Plan 2023-2029 specifically supports the delivery of the proposed project in several policies and states that the GDD project is a key wastewater infrastructure investment priority to support the continued development of the Great Dublin Area and aims to provide long-term sustainable wastewater drainage and treatment. For this reason the Commission is satisfied that it would be appropriate, in this instance, to grant planning permission for the proposed

development, notwithstanding material contravention of certain zoning objectives of the development plan, in accordance with the provision of section 37G(6) of the Planning and Development Act, 2000 (as amended).

The Commission considered that the proposed development is of strategic importance having regard to the provisions of the National Planning Framework First Revision (2025), the Regional Spatial and Economic Strategy 2019-2031, Ireland's Water Action Plan 2024, the Government's Water Services Policy Statement 2018-2025, the Fingal Development Plan 2023-2029, the Dublin City Development Plan 2022-2028, the Meath County Development Plan 2021-2027 and the Kildare County Development Plan 2023-2029. The proposed development will contribute to meeting the objectives of these plans. It is considered that the proposed development would accord with European, national, regional and local planning policy and that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proposed 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 planning application, as amended by the further information received by the Commission on 26th October 2023, 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 the commencement of development and the development shall be carried out and complied in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The wastewater treatment plant, hereby permitted, shall be an activated sludge plant (ASP), constructed and operated in accordance with plans and particulars, and further information, submitted with the subject application.

(b) Operational discharge flow rates to the marine environment shall not exceed those hydrodynamically modelled and assessed in the Environmental Impact Assessment Report and Natura Impact Statement.

Reason: In the interest of clarity.

3. The proposed wastewater treatment plant shall not become operational until such time as the Regional Biosolids Storage Facility has been full completed (Planning Permission Ref: ABP-301798-18).

Reason: To manage the storage and distribution of treated material from the proposed Sludge Hub Centre in the interest of the proper planning and sustainable development of the area.

4. The period during which the development hereby permitted may be carried out shall be ten years from the date of this Order.

Reason: Having regard to the nature and extent of the proposed development, the Commission considered it appropriate to specify a period of validity of this permission in excess of five years.

5. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), and the further information submitted on the 26th of October 2023, including the EIAR Addendum, shall be implemented in full.

Reason: In the interest of environmental protection.

6. The mitigation measures contained in the submitted revised Natura Impact Assessment (NIS) shall be implemented.

Reason: To protect the integrity of European Sites.

7. (a) Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a comprehensive document containing all mitigation and monitoring measures set out in the Environmental Impact Assessment Report (EIAR) and EIAR Addendum, the revised Natura Impact Statement and other supporting documentation, and including the commitments given at the Oral Hearing (as they relate to the proposal as amended by the further information received by the Commission on 26th of October 2023). The document shall clearly identify who is responsible for the implementation of these mitigation and monitoring measures and a timescale for their implementation.
- (b) Ecological mitigation and monitoring measures shall include, inter alia, the following specific details, which shall be subject to the written agreement of the planning authority prior to the commencement of development:
- (i) A badger conservation plan shall be prepared which shall incorporate a methodology and timetable for interference with and/or destruction of any badger setts that might be required in order to undertake the construction of this project. The badger conservation plan shall include details of how it is intended to monitor the presence of badgers in any relevant setts and safely exclude badgers from those setts whilst works are carried out in the vicinity, or if it is deemed necessary to destroy or relocate any setts.
 - (ii) An amphibian conservation plan shall be prepared which shall include methodologies for the identification of amphibian species, frog and smooth newt, populations at their various developmental stages at the pond sites at Coldwinters, adjacent to the Ballymun NCT Centre and at Tuberbunny on the orbital sewer route. This plan shall include a methodology for transferring these populations out of the ponds to be affected by the laying of the proposed sewer, under licence from the National Parks and Wildlife Service.
 - (iii) A plan for the establishment of one or more new ponds adjoining the route of the proposed orbital sewer through the 'waste ground' site to the northwest of the Ballymun NCT Centre. The plan shall provide

for the transfer of elements of the existing plant communities present in the ponds currently located on this site which are to be impacted by the construction of the sewer into the new pond(s). In particular, fen pondweed plants shall be translocated to the new ponds as well as examples of charophyte species, in addition to those species present in the existing ponds.

- (c) Public health and residential amenity mitigation measures shall include, inter alia, measures to ensure that the adopted odour annoyance criterion of 1.5 OUE/m³ as the 98th percentile of hourly averages shall not be exceeded at the boundaries of the Abbotstown Pumping Station and Clonsbaugh Wastewater Treatment Plant and Sludge Hub Centre.

Reason: In the interest of effective development control, clarity and the proper planning and sustainable development of the area.

8. Prior to commencement of development, a Noise, Vibration and Dust Management Plan shall be submitted to, and agreed in writing with, the planning authority in respect of the construction phase of the Greater Dublin Drainage Project. The Plan shall comply with appropriate noise and vibration limits set out in the Environmental Impact Assessment Report and EIAR Addendum, in respect of the overall development. The Plan shall include measures to undertake works during school holidays where necessary to address any potential significant noise impacts on schools. The Plan shall incorporate detailed method statements to be prepared by the appointed contractor to address the specific noise and vibration impacts relevant to the operation of Connolly Hospital and St. Francis Hospice. The Plan shall include specific measures relating to the investigation and response to complaints. Noise monitoring during construction and commissioning and/or operation shall be carried out in accordance with the requirements of the planning authority.

Reason: In the interest of the amenities of the surrounding area.

9. Details of the materials, colours and textures of all external finishes of above ground structures at the proposed Abbotstown Pumping Station and the Clonsaugh Wastewater Treatment Plant and Sludge Hub Centre shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

10. (a) Prior to commencement of development, a contract specific Construction and Environmental Management Plan (CEMP) and Surface Water Management Plan (SWMP) shall be submitted to and agreed in writing with the planning authority (Fingal County Council) in respect of the proposed development. This shall address matters relevant to Abbotstown Pumping Station and the tunnelled section of the Orbital Sewer through Connolly Hospital grounds, to Clonsaugh Treatment Plant and Sludge Hub Centre.
- (b) The agreed CEMP shall include a list of other projects which may lead to potential cumulative impacts, if construction phases run concurrently, and the developer shall ensure that there is a coordinated approach between the project teams to minimise potential impacts, in accordance with the commitment set out in the Outline CEMP Addendum.

Reason: To protect the environment during construction.

11. (a) Prior to commencement of development, a Traffic Management Plan for the construction and operational phases shall be submitted to, and agreed in writing with, the planning authority (Fingal County Council). The applicant shall liaise with Dublin City Council, DAA, TII, NTA, Iarnród Éireann in preparing the Construction Traffic Management Plan.
- (b) Prior to commencement of development, a Construction Method Statement shall be submitted to and agreed in writing with the planning authority (Fingal County Council) with respect to rail infrastructure. The applicant shall liaise with Iarnród Éireann in preparing the Construction Method Statement.
- (c) Prior to commencement of development, full details of any alterations to the public road network, including at the entrance to the Clonshaugh site, shall be agreed in writing with the planning authority. All costs to facilitate these works shall be at the expense of the developer. All works in the public road shall be carried out only by the planning authority.
- (d) Prior to commencement of development, the developer shall complete a Road Safety Audit, which shall be submitted to the planning authority for written agreement. This shall address any measures to be implemented by the developer as part of the proposed development.
- (e) The developer shall comply with the requirements of the planning authority in respect of minimising traffic disruption on the local communities and cleaning and repair of any damage to the public road networks during the construction and operation phases.
- (f) Prior to undertaking pre-construction surveys, the developer shall liaise with the planning authority in relation to the proposal for pre-construction and post-construction visual surveys of the identified haulage routes. Details of these surveys and of the selected haulage routes shall be set out in the CEMP. Prior to completion of construction, the developer shall submit a review of the identified haulage routes and a programme of remediation works for the written agreement of the planning authority, including timelines for undertaking works. All works shall be carried out to the satisfaction of the planning authority.

- (g) Prior to commencement of operation, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car-pooling by staff employed in the proposed development and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented by the operator. It shall provide for a phased roll out of measures appropriate to the changing nature of the area and the levels of available public transport.

Reason: To protect the existing road network, to ensure that the proposed development does not impede the delivery of future roads in the area and in the interest of traffic safety and the promotion of sustainable transport modes.

- 12. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within and proximate to the Wastewater Treatment Plant site. In this regard, the developer shall –
 - (a) Notify the Department of Housing, Local Government & Heritage in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development.
 - (b) Employ a suitably qualified archaeologist who shall monitor all topsoil stripping, site investigations and other excavation works.
 - (c) Submit a detailed technical report to the planning authority setting out the findings of excavations, together with the studies already carried out in relation to the EIAR, and EIAR Addendum, once each site on the Record of Monuments and Places (RMP) or area of archaeological potential has been archaeologically excavated
 - (d) Provide arrangements for the recording and for the removal of any archaeological material which the Department of Housing, Local Government and Heritage considers appropriate to remove.

- (e) Agree arrangements for post excavation analysis and archiving with the planning authority, following consultation with the National Monuments Service and the National Museum.
- (f) Submit a final report on the completed archaeological works to the National Monuments Service, the National Museum and the Planning Authority within one year, unless otherwise agreed.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

13. In relation to the protection of trees and hedgerows, the following requirements shall apply:

- (a) The developer shall appoint an arborist who shall oversee the preparation of a detailed tree and hedgerow survey and protection plan which shall incorporate precise measures to protect trees and hedgerows during construction.
- (b) The plan shall be submitted to the planning authority for written agreement prior to commencement of development.
- (c) The plan shall minimise tree removal in the vicinity of St. Caoimhghin's Church (Sites and Monuments Record DU013-020001) and graveyard (Sites and Monuments Record DU013-020002) (National Inventory of Architectural Heritage Reg. No. 11354005) and shall minimise the loss of hedgerows, which are also townland boundaries. The exact boundary of the construction compound at St. Caoimhghin's Church shall be agreed with the planning authority.
- (d) The identification in the plan of trees to be removed and reinstatement of hedgerows shall be informed by the recommendation of a bat specialist who shall liaise with the appointed project arborist.

Reason: In the interest of landscape and visual amenities and to ensure the protection of cultural heritage and biodiversity.

14. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a detailed landscape plan for each of the proposed development components of the Greater Dublin Drainage Project. The landscape plan shall include, inter alia, full details of:

- (i) all boundary treatments at the Abbotstown Pumping Station and the Clonsaugh Wastewater Treatment Plant and Sludge Hub Centre,
- (ii) exact siting, screening, decommissioning and restoration of all construction compounds,
- (iii) general landscape details, including timescales for implementation,
- (iv) proposals for lighting which shall minimise light spillage to the boundaries of the Abbotstown Pumping Station and Clonsaugh sites.

Reason: In the interest of landscape and visual amenities and to ensure the protection of biodiversity.

15. Following consultation with the Dublin Airport Authority and the Irish Aviation Authority, and prior to the commencement of development, proposals for the erection of cranes to facilitate construction of the proposed development shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of aircraft safety.

16. The developer shall pay to the planning authority (Fingal County Council) a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Schedule of Costs

In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the amount due to be recouped from the applicant is **€230,999**.

A breakdown of the Commission's costs is set out in the attached Appendix 1.