

**An
Bord
Pleanála**

**Board Direction
BD-015778-24
ABP-313509-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/02/2024 and 07/03/2024.

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

In coming to its decision, the Board had regard to the following:

EU legislation including in particular:

- The relevant provisions of EU Directive 2014/52/EU amending Directive 2011/92/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 out the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
- Sustainable and Smart Mobility Strategy 2020 (EU Commission 2020)

National Policy and Guidance including in particular:

- Project Ireland 2040 encompassing the National Planning Framework and the National Development Plan.
- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020

- The Cycle Design Manual 2023
- Climate Action Plan, 2023.
- The Design Manual for Urban Roads and Streets, 2019.
- Department of Transport National Sustainable Mobility Policy, April 2022

Regional Policy including in particular:

- The Transport Strategy for the Greater Dublin Area 2022-2042.
- Eastern & Midlands Regional Spatial & Economic Strategy, 2019-2031.

Local Planning Policy including in particular:

- The Dublin City Development Plan 2022-2028.
- The Dún Laoghaire Rathdown County Development Plan 2022-2028.
- The Dublin City Biodiversity Action Plan, 2021 – 2025.
- The Dún Laoghaire Rathdown County Biodiversity Action Plan 2021 – 2025.
- Blackrock Local Area Plan 2015 – 2025.

Other relevant guidance documents.

- the nature, scale and design of the proposed works as set out in the application for approval and the pattern of development in the vicinity,
- the documentation and submissions of the applicant, the National Transport Authority, including the Environmental Impact Assessment Report, the Natura Impact Statement and associated documentation submitted with the application, and the range of mitigation and monitoring measures proposed,
- the submissions and observations made to An Bord Pleanála in connection with the application,
- 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, and

the report and recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

It is considered that the proposed development would accord with European, national, regional and local planning and that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the North Dublin Bay Special Area of Conservation (Site Code: 000206), South Dublin Bay Special Area of Conservation (Site Code: 000210), Howth Head Special Area of Conservation (Site Code: 000202), Rockabill to Dalkey Island Special Area of Conservation (Site Code: 003000), Lambay Island Special Area of Conservation (Site Code: 000204), Wicklow Mountains Special Area of Conservation (Site Code: 002122), Howth Head Coast Special Protection Area (Site Code: 004113), North Bull Island Special Protection Area (Site Code: 004006), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), Baldoyle Bay Special Protection Area (Site Code: 004016), Dalkey Islands Special Protection Area (Site Code: 004172), Malahide Estuary Special Protection Area (Site Code: 004025), Rogerstown Estuary Special Protection Area (Site Code: 004015), Skerries Islands Special Protection Area (Site Code: 004122), Rockabill Special Protection Area (Site Code: 004014), Ireland's Eye Special Protection Area (Site Code: 004117), Lambay Island Special Protection Area (Site Code: 004069), the North-West Irish Sea Special Protection Area (Site Code: 004236), and The Murrough Special Protection Area (Site Code: 004186) are the European Sites for which there is a likelihood of significant effects

Appropriate Assessment: Stage 2:

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposal for the North Dublin Bay Special Area of Conservation (Site Code: 000206), South Dublin Bay Special Area of Conservation (Site Code: 000210), Howth Head

Special Area of Conservation (Site Code: 000202), Rockabill to Dalkey Island Special Area of Conservation (Site Code: 003000), Lambay Island Special Area of Conservation (Site Code: 000204), Wicklow Mountains Special Area of Conservation (Site Code: 002122), Howth Head Coast Special Protection Area (Site Code: 004113), North Bull Island Special Protection Area (Site Code: 004006), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), Baldoyle Bay Special Protection Area (Site Code: 004016) , Dalkey Islands Special Protection Area (Site Code: 004172), Malahide Estuary Special Protection Area (Site Code: 004025), Rogerstown Estuary Special Protection Area (Site Code: 004015), Skerries Islands Special Protection Area (Site Code: 004122), Rockabill Special Protection Area (Site Code: 004014), Ireland's Eye Special Protection Area (Site Code: 004117), Lambay Island Special Protection Area (Site Code: 004069), the North-West Irish Sea Special Protection Area (Site Code: 004236), and The Murrrough Special Protection Area (Site Code: 004186) in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the assessment, the Board considered, in particular, the likely direct and indirect impacts arising from the proposal both individually or in combination with other plans or projects, specifically upon the North Dublin Bay Special Area of Conservation (Site Code: 000206), South Dublin Bay Special Area of Conservation (Site Code: 000210), Howth Head Special Area of Conservation (Site Code: 000202), Rockabill to Dalkey Island Special Area of Conservation (Site Code: 003000), Lambay Island Special Area of Conservation (Site Code: 000204), Wicklow Mountains Special Area of Conservation (Site Code: 002122), Howth Head Coast Special Protection Area (Site Code: 004113), North Bull Island Special Protection Area (Site Code: 004006), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), Baldoyle Bay Special Protection Area (Site Code: 004016) , Dalkey Islands Special Protection Area (Site Code: 004172), Malahide Estuary Special Protection Area (Site Code: 004025), Rogerstown Estuary Special Protection Area (Site Code: 004015), Skerries Islands Special Protection Area (Site Code: 004122), Rockabill Special Protection Area (Site Code: 004014), Ireland's Eye Special Protection Area (Site Code: 004117), Lambay Island Special Protection Area (Site Code: 004069), the North-West Irish Sea Special Protection

Area (Site Code: 004236), and The Murrough Special Protection Area (Site Code: 004186).

- i. Mitigation measures which are included as part of the current proposal,
- ii. Conservation objectives for these European Sites, and
- iii. Views of prescribed bodies in this regard.

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

In overall conclusion, the Board 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 Board completed an environmental impact assessment of the proposed development, taking into account:

- the nature, scale, location, and extent of the proposed development,
- the Environmental Impact Assessment Report and associated documentation submitted with the application,
- the submissions received during the course of the application,
- 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 planning application.

Reasoned Conclusion for Environmental Impact Assessment:

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant during the course of the application, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment.

The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

The Board considered that the main significant direct and indirect effects of the proposed development on the environment during the construction and operational phase are those arising from the impacts listed below.

- Positive long-term impacts on **population and human health** through facilitation of improved pedestrian and cyclist safety, faster and more reliable bus services, reduced traffic congestion, improved air quality and noise reduction, improved road/street safety, more social interaction and positive accessibility and amenity impacts for community areas.
- Negative short-term impacts on **population and human health** from the construction phase in terms of access restrictions, noise, vibration, dust, contaminated material, traffic, and visual impact. This will be adequately mitigated through compliance with the Construction Environmental Management Plan and measures outlined in the Land, Soils, Water, Air and Climate and Material Assets sections of the Environmental Impact Assessment Report.
- Negative impacts on **population and human health** arising from land take (both permanent and temporary) required to facilitate the proposed scheme, from various individual residential, educational, services, and commercial properties. Where properties are directly affected the boundaries will be replaced on a like-for-like basis and access to all premises will be maintained throughout the construction process.

Negative impacts on **townscape and landscape** arising from construction activities (which will be temporary in nature) as well as longer term impacts on **streetscape** from the removal of a significant number of street trees. While these will be replaced where and as possible throughout the proposed scheme, the loss of mature street trees will be a long-term negative impact.

- Positive impacts on **townscape and landscape** arising from the provision of improved public realm and pedestrian facilities throughout the proposed scheme.
- Negative impacts on **architectural and cultural heritage** which will range in significance from the lower-level impacts associated with the provision of new signage and cantilevered signal poles in the vicinity of Protected Structures, to higher-level impacts arising from direct impacts arising from the need to alter protected structures and their boundaries that occur directly along the route including properties whose boundaries will be set back (and sites reduced in size).
- Adverse impacts on **biodiversity** from the proposed removal of habitat. Vegetation removal within the proposed scheme involves the permanent removal of 329 number street trees and 1,040 metres of hedgerow. Mitigation is designed into the proposed scheme including the provision of 349 trees and 558 metres of hedgerow. It is recommended that 11 number proposed trees along Fitzwilliam Street Lower be omitted from the scheme (in the interests of maintaining architectural heritage / integrity of the street). The new planting will provide new nesting habitat for birds and the landscaping proposed will reduce the significance of habitat loss. Trees with potential roosting habitats for bats will not be removed and pre-construction surveys will ensure significant impacts on bats do not arise. Similarly, pre-construction surveys for other fauna and invasive species within works areas will ensure that impacts will not arise and as a result will inform further mitigation measures. The proposed scheme does include works within designated sites, where such works are proposed the habitats potentially affected are not sensitive and the integrity and reasons for the ecological protection of these sites will not be adversely impacted. Suitable mitigation is also incorporated within the Construction Environmental

Management Plan in relation to invasive species. Impacts on biodiversity will therefore not be significant.

- Negative impacts on **water** could arise as a result of accidental spillages of chemicals, hydrocarbons or other contaminants entering watercourses, the sea or groundwater via piling activities during the construction phase of the development. These impacts will be mitigated by measures outlined within the application and can therefore be ruled out.
- Potential adverse impacts on **land, soils, geology and hydrogeology** from loss or damage of topsoil, excavation of potentially contaminated ground and contamination of parts of the underlying aquifer could arise during the construction phase. These impacts will be adequately mitigated through the implementation of the various environmental measures and best practice set out in the Construction Environmental Management Plan and therefore impacts will not be significant.
- Potential negative impacts on **water** quality could arise during construction due to runoff from the works areas containing fine sediments, or accidental spillages/leakages of contaminants and direct disruption to the local drainage networks. The application documentation (Environmental Impact Assessment Report and associated Construction Environmental Management Plan) contains a comprehensive suite of mitigation measures which are adequate and will protect water quality and ensure that significant adverse impacts will not arise.
- There is potential for impacts to **air quality** to arise from dust during construction works. These will be minimised with implementation of the appropriate mitigation measures set out within the Environmental Impact Assessment Report and Construction Environmental Management Plan which will minimise dust emissions arising. During the operational phase there will be localised impacts on air quality at certain locations arising from redistributed traffic patterns, and in particular along the Grand Canal in terms of NOx concentrations, this impact is considered to be negative, slight, and long-term.
- Potential for positive long-term impacts on **climate** through removal of the equivalent of approximately 3,000 and 3,300 car trips per weekday from the

- road network in 2028 and 2043 respectively (these numbers will increase with increased uptake in residual bus capacity) and associated reduction in CO₂/GHG emissions.
- There is potential for **noise** disturbance to arise during the construction phase, works will generally be carried out in daytime hours causing no significant effects and mitigation measures will be applied in relation to works areas proximate to sensitive properties. Where works are required to be carried out at night-time and weekends (to avoid significant traffic impacts) liaison will be held with affected property owners and appropriate mitigation applied as practicable. Furthermore, significant noise abatement and controls are provided for within the Construction Environmental Management Plan to minimise noise arising from construction activities. During the operational phase the use of the transport corridor will remain consistent with its established use and overall impacts will be negligible, having particular regard to the changes (technological improvements) to the bus fleet and with the reduction in car numbers facilitated by the improved sustainable transport infrastructure being provided in the proposed scheme. Accordingly, significant impacts from noise can be ruled out during all phases of the proposed scheme.
 - Positive impacts on **traffic and transport** by maximising the capacity of the proposed scheme to move more people by sustainable modes, whilst also providing for general traffic movements and activities.
 - Short-term negative impacts on **traffic and transport** arising from the construction phase and the need to adequately divert and control traffic movements in and around works areas. Such impacts will be mitigated through the implementation of the Traffic and Transportation Plan and Construction Environmental Management Plan.
 - Potential adverse impacts on **cultural heritage** due to construction works potentially impacting on underlying archaeology and other cultural or heritage features such as monuments. Mitigation measures including archaeological monitoring and provision for protection/recording/monitoring underlying archaeology and heritage features in the vicinity of works.

- Potential adverse impacts on **architectural heritage** could arise from the proposed scheme due to the direct construction interventions on lands within the curtilage of protected structures or to protected structures themselves or where infrastructure is proposed within the wider setting of Protected Structures. Where works are proposed to protected structures, these are necessary to secure the overall wider beneficial impacts of the proposed scheme and these interventions have been designed to have minimum impact. Where boundaries are to be altered/set back to facilitate the proposed scheme the existing boundary materials are to be removed and reused/repurposed in an appropriate manner and using sensitive methodologies. Similarly, where heritage gateway features and/or protected structures are to be reorientated, relocated, or altered the Board is satisfied that the methodologies and supervision set out are appropriate and will ensure impacts are not significantly adverse.
- The EIAR has considered that the main significant direct and indirect effects of the proposed development, during construction and operation, on the environment would be primarily mitigated by environmental management measures, as appropriate.
- The EIAR has considered the main significant direct and indirect and cumulative effects of the proposed development on the receiving environment during both the construction and operational phase. Following mitigation, no residual significant long-term negative impacts on the environment or sensitive receptors would occur.

Having regard to the above, the Board is satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment. The Board is satisfied that the reasoned conclusion is up to date at the time of making the decision and that the information contained in the Environmental Impact Assessment Report complies with the provisions of Article 3, 5 and Annex (IV) of EU Directive 2014/52/EU.

Proper Planning and Sustainable Development:

It is considered that the proposed development would accord with European, national, regional and local planning and that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area.

The proposed road development would deliver a key component of the National Transport Authority's Bus Connects programme with the stated aim to improve bus services across the country. It would also provide safer infrastructure for pedestrians and cyclists and would deliver sustainable connectivity and integration with other transport services. The public realm along the bus corridor would also be improved.

The Board considered that the proposed road development, subject to compliance with the conditions set out below, would be in accordance with national, regional and local planning policies, including multiple policies and objectives set out in the the Dublin City Development Plan 2022-2028, the Dún Laoghaire Rathdown County Development Plan 2022-2028 and the Blackrock Local Area Plan 2015 – 2025 and having regard to all relevant provisions, including zoning objectives, at or adjoining the overall scheme area. It is further considered that the need, justification and purpose of the proposed road development has been adequately demonstrated, that it is acceptable in terms of its likely effects on the environment and that an approval for the proposed road development would be consistent with national climate ambitions and with the relevant provisions of the Climate Action Plan 2023 through the delivery of an efficient, low carbon and climate resilient public transport service, which supports the achievement of Ireland's emission reduction targets. The proposed road development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's proposed amendment to the design of the junction of Ballsbridge Terrance and Herbert Park, the Board had concerns on the consequential impact of the proposed redesign on traffic and pedestrian safety. While the Board agreed that the maximum number of trees and heritage railings / features should be retained where possible, the consequential impact of a staggered junction design would have a negative impact on the cycling and pedestrian

networks at this location and also that the character of the location can be retained with the restoration of trees and heritage railings / features, as appropriate.

Note:

Since the lodgement of the application to An Bord Pleanála, Dublin City Development Plan 2022-2028 came into effect. In considering the application and arriving at its decision, the Board was satisfied that no material policy changes arose in the new statutory plan and the proposed road development (Belfield/Blackrock to City Centre Core Bus Connects Scheme) continues to be strongly supported in specified policy in the adopted statutory plan. Accordingly, and taking into account all of the matters raised in submissions, the Board was satisfied that no further consultation was necessary as a result of the coming into effect of the new statutory plan.

CONDITIONS

1. The proposed 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. Where such conditions require details to be agreed with a planning authority, the applicant shall agree such details in writing with the relevant planning authority prior to commencement of development and the proposed development shall be carried out in accordance with the agreed particulars.

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

2. The mitigation, environmental commitments and monitoring measures identified in the plans and particulars relating to the proposed development, including those set out in the submitted Natura Impact Statement, Environmental Impact Assessment Report, Construction and Environmental Management Plan and Surface Water Management Plan shall be implemented in full or as may be required in order to comply with the following conditions. Prior to the commencement of development, details of a time schedule for implementation

of mitigation measures and associated monitoring shall be prepared and submitted to the planning authorities for written agreement.

Reason: In the interest of protecting the environment, the protection of European Sites and in the interest of public health.

3. Prior to the commencement of development at each section of the proposed works, pre-construction surveys shall be carried out to determine the presence of protected mammal, bird or bat species.

Reason: In the interest of environmental protection.

4. The proposed development shall be amended as follows:

- (a) The bus shelter proposed on Fitzwilliam Street Lower shall be omitted.
- (b) The 11 street trees proposed on Fitzwilliam Street Lower shall be omitted.
- (c) Scaled elevations of proposed bus shelters to be provided throughout the route to be submitted for the written agreement of the relevant planning authority. Bus shelters on Baggot Street Lower and Baggot Street Upper shall not have advertisement panels included.
- (d) A free-standing heritage information panel is to be designed and provided in the vicinity of the relocated Bloomfield Gate explaining its background, relocation and history, for public viewing.
- (e) The existing concrete benches identified as CBC1415BTH087, CBC1415BTH088 and CBC1415BTH089 in the application documentation are to be removed, stored and incorporated into the new boundary treatment in the vicinity of their current location.
- (f) The buffer zone between the loading bays and cycle track on the northern side of Baggot Street Upper is to be extended from 750 millimetres to 850 millimetres.
- (g) A yellow box is to be provided on the inbound lane at the Willow Park entrance gates to facilitate traffic turning movement requirements.

Revised drawings showing compliance with these requirements shall be submitted to the relevant planning authority for written agreement prior to the

commencement of development, and the works carried out in accordance with the revised agreed details.

Reason: In the interests of proper planning and sustainable development cyclist safety, conservation of the visual amenities and character of the area, biodiversity, preservation of conservation streetscape and convenience.

5. Works on installation of the construction compound shall only take place between the months of April-September.

Reason: To prevent disturbance to nesting birds species scheduled under the Wildlife Act and the EU Habitats Directive and in the interest of nature conservation.

6. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Construction Traffic Management Plan (CTMP) and a Construction Stage Mobility Management Plan (CSMMP) for the construction phase of the development for the written agreement of the planning authority. The CSMMP shall promote the use of public transport, cycling and walking by personnel accessing and working on the construction site. The agreed CTMP and CSMMP shall be implemented in full during the course of construction of the development.

Reason: In the interest of traffic safety and promoting sustainable travel during the construction period.

7. The developer shall monitor queuing time / delays at each works location and record traffic flows on the local road network at locations to be agreed with the Local Authority. Such monitoring information shall be provided in a report to the Local Authority on a weekly basis.

Reason: In the interest of orderly development.

8. Prior to the commencement of development, the applicant, and/or any agent acting on its behalf, shall prepare in consultation with the relevant statutory

agencies, an updated Construction Environmental Management Plan, incorporating all mitigation measures indicated in the Natura Impact Statement and Environmental Impact Assessment Report and a demonstration of proposals to adhere to best practice and protocols. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, surface water management proposals, the management of construction traffic and off-site disposal of construction waste.

Reason: In the interest of protecting the environment, the landscape, European Sites, and sensitive receptors and in the interest of public health.

9. The construction of the development shall be managed in accordance with the updated Construction and Environmental Management Plan, which shall be agreed in writing with the relevant planning authorities. This plan shall provide details of intended construction practices for the development, including:
 - (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.
 - (b) Location of areas for construction site offices and staff facilities.
 - (c) Details of lighting, site security fencing and hoardings.
 - (d) Details of the timing and routing of construction traffic to and from the construction site.
 - (e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
 - (f) Alternative arrangements to be put in place for pedestrians, cyclists and vehicles in the case of the closure of any public road or footpath during the course of site development works.
 - (g) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
 - (h) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained.

- (i) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.
- (j) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (k) Consultation with the respective Regional Waste Management Planning Office regarding development of the final plans.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

10. Prior to the commencement of development, the applicant and/or any agent acting on its behalf shall submit an Invasive Species Management Plan to the relevant planning authority, which includes details of a pre-construction survey to be carried out. The plan shall include full details of the eradication of such invasive species from the development site prior to construction or if discovered during construction as soon as is practicably possible.

Reason: To ensure the protection of the local environment and European sites and in the interest of nature conservation and mitigating ecological damage associated with the development.

11. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant planning authority for such works in respect of both the construction and operation phases of the proposed development.

Reason: In the interest of environmental protection and public health.

12. A suitably qualified ecologist shall be retained by the applicant to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology set out in the Natura Impact Statement and Environmental Impact Assessment Report. The ecologist shall

be present during site construction works. Prior to commencement of works on any section of the proposed scheme, an ecological report of the proposed scheduling, monitoring and relevant mitigation of the site works shall be prepared by the appointed ecologist and agreed in writing with the relevant planning authority.

Reason: In the interest of nature conservation and the protection of terrestrial and aquatic biodiversity.

13. Prior to the removal/replacement of trees, hedging and planting which is to be altered the applicant shall agree with the relevant landowner the species, size and location of all replacement vegetation. The applicant shall also employ the services of an appropriately qualified Arboriculturist and Landscape Architect for the full duration of the proposed works to ensure landscaping and tree works are implemented appropriately.

Reason: In the interest of visual and residential amenity.

14. (a) Trees to be felled shall be examined prior to felling and demolition to determine the presence of bat roosts. Any clearance works shall be in accordance with the Transport Infrastructure Ireland Guidelines for the Treatment of Bats during the construction of National Road Schemes. Only trees indicated for removal in the submitted Arboricultural Impact Assessment are to be removed subject to the provisions of these conditions.
- (b) No ground clearance shall be undertaken, and no vegetation shall be cleared during the bird breeding season, unless otherwise agreed with the relevant planning authority.
- (c) Tree protection measures for all existing trees shall be put in place prior to the commencement of development or phases of development.
- (d) All details of soft landscaping as well as tree planting species and maturity shall be submitted for the agreement of the relevant planning authority prior to the commencement of development to include post-construction monitoring, maintenance and replacement if/as necessary.
- (e) Post-construction management, monitoring and replacement (if necessary) of climbing vegetation on the proposed new concrete wall

along Nutley Lane at the frontage of the Elm Park Golf and Sports Club shall be put in place for a period of 5 years post construction. In the event of failure of the climbing vegetation on this wall a revised planting scheme is to be agreed with the planning authority and implemented.

Reason: In the interest of wildlife and biodiversity protection and orderly development.

15. Details of all signage shall be submitted to the relevant planning authority prior to the commencement of development to be held on record.

Reason: In the interest of orderly development.

16. Noise monitoring shall be carried out during the construction phase of the proposed road development by the developer to ensure that construction noise threshold levels (LAeq, period) shall not exceed the levels set out in the Environmental Impact Assessment Report. During the construction phase, noise monitoring shall be carried out at representative Noise Sensitive Locations as the work progresses along the scheme to evaluate and inform the requirement and/or implementation of noise management measures. Noise monitoring shall be conducted in accordance with ISO 1996–1 (ISO 2016) and ISO 1996–2 (ISO 2017).

Reason: In the interest of management of construction noise and protection of adjoining amenities.

17. In accordance with the Environmental Impact Assessment Report, all works to protected structures, and structures of cultural heritage interest shall be monitored and recorded by an Architectural Conservation Specialist. Construction methodologies, and re-instatement method statements shall be submitted to the relevant planning authority for written agreement prior to the commencement of works on any relevant section of the scheme. The Architectural Conservation Specialist shall ensure that adequate protection of the retained and historic fabric during the proposed works and across all preparatory and construction phases. Discovery of new architectural heritage

shall be made known to the Conservation Section of Dublin City Council as soon as is practicably possible.

Reason: In the interest of environmental protection.

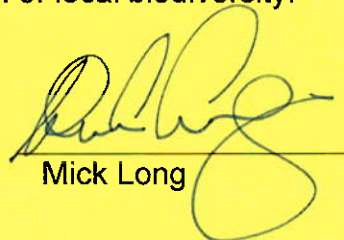
18. The applicant shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:
- (a) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (b) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.
 - (c) All archaeological pre-construction investigations and monitoring shall be carried out in accordance with the details specified within the Environmental Impact Assessment Report submitted with the application.

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.

20. (a) All lighting shall be operated and cowled in such a manner as to prevent light overspill to areas outside of compounds and works areas.
- (b) Prior to the commencement of development, the applicant shall submit a detailed public lighting plan to be held by the planning authority. The plan shall include the type, duration, colour of light and direction of all external lighting to be installed within the site compounds of the development site.

Reason: In the interests of clarity, public safety, visual and residential amenity and protection of local biodiversity.

Board Member


Mick Long

Date: 08/03/2024

