

An
Coimisiún
Pleanála

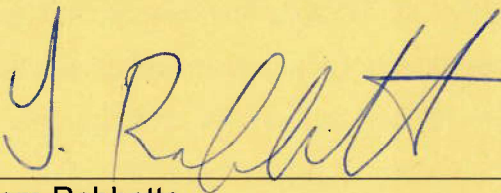
Direction
CD-022285-26
ABP-317831-23

The submissions on this file and the Inspector's report were considered at a meeting held on 22/06/2026.

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

Planning

Commissioner:


Tom Rabbette

Date: 25/06/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission performed its functions in relation to the making of its decision, in a manner consistent with 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 function in a manner consistent with the Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, the Long-term Strategy on Greenhouse Gas Emissions Reductions 2024, the National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 and the relevant sectoral adaptation plans in particular the Electricity and Gas Networks Climate Change Adaption Plan 2019 and in furtherance of the objective of

mitigating greenhouse gas emissions and adapting to the effects of climate change in the State, and otherwise had regard to:

- European, national, regional and local planning, energy, climate and other policy of relevance, including in particular the following:
- European legislation, including of particular relevance:
 - Directive 2011/92/EU (The EIA Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning Regulations as amended.
 - Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
 - 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.
- National and regional planning and related policy including:
 - Project Ireland 2040: National Planning Framework (“NPF”), First Revision of the NPF;
 - National Development Plan 2021-2030
 - The objectives and targets of the National Biodiversity Action Plan 2023-2030;
 - Policy Statement on Security of Electricity Supply (November 2021);
 - National Energy Security Framework (April 2022);
 - National Energy and Climate Action Plan (2021-2030);
- Regional and local planning policy, including in particular:
 - Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031;
 - Dublin City Development Plan 2022-2028;

- Fingal County Development Plan 2023-2029
- The location, nature, scale and layout of the proposed development as set out in the planning application and the pattern of development in the vicinity;
- 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.
- The range of mitigation measures set out in the Environmental Impact Assessment Report;
- The range of mitigation measures set out in the Natura Impact Statement;
- The submissions and observations received in relation to the planning application by all participants.
- The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment.

Appropriate Assessment

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report, that the proposed development may give rise to significant effects at Baldoyle Bay Special Area of Conservation (Site Code: 000199), North Dublin Bay Special Area of Conservation (Site Code: 000206), Malahide Estuary Special Area of Conservation (Site Code: 000205), Baldoyle Bay Special Protection Area (Site Code: 004016), North Bull Island Special Protection Area (Site Code: 004006) and Malahide Estuary Special Protection Area (Site Code: 004025).

The Commission considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposal for Baldoyle Bay Special Area of Conservation, North Dublin Bay Special Area of Conservation, Malahide Estuary Special Area of Conservation, Baldoyle Bay Special Protection Area, North Bull Island Special

Protection Area and Malahide Estuary Special Protection Area, in view of each 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, the following:

- i. The likely direct and indirect impacts arising from the proposed development 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 report in respect of the potential effects of the proposed on the aforementioned European Sites, having regard to the sites' conservation status. 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:

- (i) The nature, scale and extent of the proposed development;
- (ii) The Environmental Impact Assessment Report and associated documentation submitted in support of the application;
- (iii) The submissions made in the course of the application; and
- (iv) The Inspector's report.

The Commission considered that the Environmental Impact Assessment Report 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 Commission 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 Commission considered, and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment with the implementation of the proposed mitigation measures are as follows:

- **Biodiversity**

- Cumulative impacts arising from permanent loss of Local Importance (Higher Value) habitat, when considered alongside the consented MetroLink development (ABP-314724-22) and other developments in the vicinity.

- **Material Assets**

- Cumulative adverse impacts on national landfill capacity arising from the disposal of excavated materials, when the cables project is considered in tandem with the MetroLink Railway Order development.

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 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 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 national, regional and local planning policy

and 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.

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 received by An Coimisiun Pleanála on the 27th day of February 2026 and the 7th day of April 2026, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. All of the mitigation measures, environmental commitments and monitoring measures identified in the Environmental Impact Assessment Report (EIAR) shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

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

3. The mitigation measures contained in the submitted Natura Impact Statement (NIS) received by An Coimisiun Pleanála on the 27th day of February 2026, shall be implemented.

Reason: To protect the integrity of European Sites.

4. The undertaker shall submit and agree with Fingal County Council, Dublin City Council (as appropriate) and Transport Infrastructure Ireland a method statement for the proposed crossing of the motorways and the crossing of the proposed east-west distributor road. The proposed development shall thereafter be carried out in accordance with such agreement.

Reason: In the interest of road safety and to protect the national road network.

5. Prior to the commencement of development, the applicant shall submit to, and agree in writing with, Fingal County Council, a method statement for works at

Castlemoate House Historic Landfill and Belcamp Lane Historic Landfill to address contaminated land where encountered, the method statement shall contain, inter alia, appropriate mitigation measures.

Reason: In the interest of environmental protection.

6. (a) Prior to commencement of development the undertaker shall submit to Fingal County Council a strategy for the protection of Protected Structures that are adjacent to the cable route and which shall include measures for protection of and remediation of any damage caused by construction.
- (b) The strategy shall include proposals for the protection of the Protected Structure historic milestone (Record of Protected Structures Number: 0462) that is contained within a wall at the entrance to Lime Hill House, Malahide Road/R107.

Reason: In the interest of the protection of architectural and cultural heritage.

7. Prior to the commencement of development, the undertaker shall undertake pre-construction condition surveys of historic bridge numbers CH008 (in the townland of Turnapin Little) and CH201 (in the townland of Belcamp) and submit same to Fingal County Council. These condition surveys shall inform the requirement for any additional mitigation measures, to be determined by the project archaeologist in consultation with the National Monuments Service.

Reason: In the interest of the protection of architectural and cultural heritage.

8. (a) Prior to the commencement of development, the undertaker shall prepare and submit for agreement, method statements for all water crossings to Fingal County Council, Dublin City Council, as appropriate, and Inland Fisheries Ireland. Construction shall thereafter be carried out in accordance with such approval.
- (b) Construction shall accord with advice contained with Inland Fisheries Ireland guidance document 'Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters' (2016). Additional drawings and/or construction method statements outlining compliance with the

Inland Fisheries Ireland Guidelines shall be submitted to Fingal County Council and Dublin City Council, as appropriate, for agreement.

Reason: In the interest of environmental protection and in order to protect water quality within receiving surface waters.

9. Prior to the commencement of development, the undertaker shall engage with the Dublin Airport Authority and AirNav Ireland in order to satisfy aviation related safeguarding requirements. The proposed development shall thereafter be carried out with any such agreement.

Reason: In order to protect aviation safety.

10. The construction of the proposed development shall be managed in accordance with a Construction and Environmental Management Plans, which shall be submitted to, and agreed in writing with, the planning authorities prior to commencement of development. The plans shall provide details of intended construction practice for the proposed development, including hours of working, noise, vibration and dust management measures, protection of groundwaters, emergency planning, traffic management, protection of wayleaves, protection of archaeological and cultural heritage items and off-site disposal of construction / demolition waste.

Reason: In the interest of public safety and residential amenity.

11. Drainage arrangements shall comply with the requirements of the planning authorities 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. The undertaker shall engage a suitably qualified archaeologist or other professional to oversee all site clearance works, topsoil stripping and groundworks associated with the proposed development.

Prior to the commencement of such works the archaeologist shall consult with and forward to the planning authorities or the National Monuments Service, as appropriate, a method statement for written agreement. Should archaeological remains be identified during the course of archaeological monitoring, all works

shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation.

A final archaeological report shall be provided following the completion of archaeological work on site, describing the results of archaeological monitoring and investigate work/excavation required.

Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.

13. Construction waste shall be managed in accordance with a Construction Waste Management Plan, which shall be submitted to and agreed in writing with the planning authorities prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006 and shall include details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management

14. Construction works shall be carried out such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the undertaker and at the undertaker's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

15. Landscaping schemes shall be submitted to and agreed in writing with the Fingal County Council and Dublin City Council, as appropriate, prior to commencement of development. The schemes shall include proposals for the replacement or remediation of trees/hedgerows removed or damaged by construction.

Reason: In the interests of environmental protection and visual amenity.

16. Prior to the commencement of development, protective fencing in accordance with best practice shall be installed to protect all trees and hedgerows identified to be retained. The fencing shall be installed in such a manner as to provide protection to the root protection zone, and it shall be retained on site until all construction works are completed. No soil, spoil, construction material or waste will be stored or tipped within the fenced off area and no construction plant or vehicles will be parked within the spread of trees/hedgerows identified to be retained. The fencing shall be retained until such time as works are completed.

Reason: In the interest of environmental protection.

17. Within a period of six months before the commencement of development, the undertaker shall undertake a further baseline otter survey. The survey shall be undertaken by an Ecologist who is appropriately qualified and experienced in undertaking such surveys and in line with best practice. The results of the pre-construction survey and any proposed mitigation measures shall be submitted for the written approval of the planning authorities prior to the commencement of works.

Reason: In the interest of the protection of biodiversity.

18. Within a period of six months before the commencement of development, the undertaker shall undertake a survey of the cable route alignment for Alien Invasive Species (AIS) designated under the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations (2011). A verification report shall be submitted to the planning authority prior to commencement of construction. Should any IAS be found, an IAS Management Plan shall be prepared and submitted to the planning authorities. Implementation of any IAS Management Plan shall be monitored by the project ecologist in agreement with the planning authorities. No works are to take place until actions of an AIS Management Plan are completed.

Reason: In the interest of environmental protection.