



An
Bord
Pleanála

Board Order ABP-301798-18

Planning and Development Acts, 2000 to 2018

Planning Authorities: Dublin City Council and Fingal County Council

Application for permission under section 37E of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an environmental impact assessment report and Natura Impact Statement, lodged with An Bord Pleanála on the 6th day of June, 2018 by Irish Water care of Stephen Little and Associates of 26/27 Pembroke, Dublin.

Proposed Development: 10-year permission for development comprising revisions and alterations to the existing and permitted development at the Ringsend Wastewater Treatment Plant and for a new Regional Biosolids Storage Facility, being two components of an integrated wastewater treatment facility. The proposed development comprises revisions and alterations to the 2012 Approval (case reference number 29N.YA0010). The proposed revisions and alterations will continue to facilitate the expansion of the existing wastewater treatment plant (Ringsend Wastewater Treatment Plant) to its permitted capacity of 2.4 million population equivalent within the confines of its current site. However, this will now be achieved primarily through the introduction of aerobic granular sludge (AGS) technology at the Ringsend Wastewater Treatment Plant. The introduction of this technology will facilitate the omission of the nine-kilometre Long Sea Outfall Tunnel and the continued use of the existing outfall.

Component 1 – Ringsend Wastewater Treatment Plant, Pigeon House Road, Dublin 4

Permission is sought for development comprising revisions and alterations to the 2012 Approval on an overall site. The proposed development consists of:

- Reconfiguration and retrofitting of the existing Sequential Batch Reactor (SBR) Tanks, up to 24 number in total, to facilitate the use of a new AGS technology.
- Associated works, including the provision of:
 - A Sludge Pasteurisation Building (approximately circa 31.5 metres x circa 14.5 metres x circa 8.5 metres high).
 - A Phosphorous Recovery Building (approximately circa 38.5 metres x circa 15.5 metres x circa 20 metres high).
- Ancillary site development works (pipework and electrical works), plant (new and adjustments to existing) and landscape works (including boundary treatments) to accommodate the above development, including:
 - The use on a permanent basis of a vehicular entrance off Pigeon House Road and associated landscaping and internal road along the eastern boundary of the site, previously granted a temporary permission under case reference number 29N.YM0002.
 - A new underground electrical connection to an existing underground ESB cable, along the southern boundary of the site (at the south-west corner only) and at the edge of, and extending to within, the South Dublin Bay and River Tolka Estuary Special Protection Area.
 - Bypass culvert, ultraviolet (UV) lamps, internal road reconfigurations and additional car parking.
 - The continued use of two number temporary construction compounds (C1 and C2) for the 10-year duration of the permission sought. These compounds were previously permitted under case reference number 29N.YM0004 for a period of three years. Proposals for the temporary construction compound C1 include a pedestrian connection to the south-west corner of Ringsend Wastewater Treatment Plant. Temporary construction compound C1 is partially located within the Poolbeg West Strategic Development Zone as defined by Statutory

Instrument No. 279 of 2016. A Protected Structure (Pigeon House Fort) (RPS No. 6794) is partially located within temporary construction compound C2.

- The omission of the permitted nine-kilometre Long Sea Outfall (in tunnel) for the purposes of discharging into the Dublin Bay area from an onshore inlet shaft approximately 350 metres east of the existing Ringsend Wastewater Treatment Plant (including any associated construction works) which in turn provides for the continued use of the existing outfall to the River Liffey serving the Ringsend Wastewater Treatment Plant.
- The omission of two number temporary construction compounds located to the west of the Ringsend Wastewater Treatment Plant and also the omission of one temporary construction compound on Pigeon House Road to serve the Long Sea Outfall (in tunnel); all of which were previously permitted under case reference number 29N.YA0010.

The overall application site area of the development proposed at the Ringsend Wastewater Treatment Plant is approximately 17.9 hectares and includes a Protected Structure (RPS No. 6794). The overall existing Ringsend Wastewater Treatment Plant is 14.7 hectares and is divided into two sites by Pigeon House Road; 11.2 hectares to the south of the road where the Ringsend Wastewater Treatment Plant is located, with a further 3.5 hectares located to the north of the road. The two number temporary construction compounds which are the subject of this application amount to approximately 3.79 hectares, part of which is located within the 14.7 hectare site of the Ringsend Wastewater Treatment Plant. Part of the application site is within the Poolbeg West Strategic Development Zone as defined by Statutory Instrument No. 279 of 2016. The Ringsend agglomeration, including the wastewater treatment plant, has an existing discharge authorisation licence in accordance with the requirements of the Waste Water Discharge (Authorisation) Regulations 2007, as amended. A licence review will be carried out in accordance with the requirements of the licence review process.

Component 2 – Proposed Development of a Regional Biosolids Storage Facility at Newtown, North Road (R135), Dublin 11

Permission is also sought for development of a Regional Biosolids Storage Facility at a separate 11-hectare site comprising:

- Demolition of existing single storey structures on site comprising of a security kiosk (approximately 22 square metres gross floor area), the weighbridge kiosk (approximately 19 square metres gross floor area), an ESB sub-station (approximately 16 square metres gross floor area) and an administration building (approximately 85 square metres gross floor area), together with the partial removal of existing internal roads and partial removal/diversion of existing drainage infrastructure as appropriate to accommodate the development.
- Provision of two number biosolids storage buildings, each approximately 50 metres wide, 105 metres long and 15 metres in height, including solar panels on the roof of one building. These buildings have a combined capacity to store up to 48,000 cubic metres of biosolids waste at any one time.
- Provision of four number odour control units, each with 18.2 metre-high discharge flues.
- Mechanical and electrical control building (approximately 35 square metres gross floor area, four metres high).
- Provision of a single storey site administration building for office, welfare facilities and meeting rooms (approximately 130 square metres gross floor area) and associated staff car parking.
- Use of the existing vehicular access off the R135, including provision of new 2.7 metre-high entrance gates to serve the Regional Biosolids Storage Facility.
- All ancillary landscape and site development works, including:
 - Provision of two number new weighbridge facilities (one number weighbridge on entry and exit of the Regional Biosolids Storage Facility).
 - Provision of new ESB sub-station (approximately 40 square metres gross floor area).

- Landscaping and boundary treatments, including new 2.7-metre-high boundary to North Road/R135.
- Provision of fire protection holding tank (approximately 6.7 metres high).
- Provision of a Heavy Goods Vehicle (HGV) cleaning and set-down area.
- Formation of a new footpath and landscaped verge to R135 along site frontage.
- Provision of drainage, water, external lighting and other utilities.
- Diversion of 450 millimetres surface water pipe.
- One number signage structure, 5.2 metres in height erected on posts accommodating two number signage zones: 2.4 metres x 1.7 metres and 2.4 metres x 1.2 metres, located at the site entrance.

All at the Ringsend Wastewater Treatment Plant, Pigeon House Road, Dublin and Newtown, North Road (R135), Dublin.

Decision

Grant permission under section 37G of the Planning and Development Act 2000, as amended, for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Determine under section 37H(2)(c) the sum to be paid by the applicant in respect of costs associated with the application as set out in the Schedule of Costs below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

In coming to its decision, the Board had regard to a range of matters, including the following:

European legislation, including of particular relevance:

- The EIA Directive 2011/92/EU amended by Directive 2014/52/EU (EIA Directive),
- The European Union Water Framework Directive 2000/60/EC,
- The European Union Urban Waste Water Treatment Directive 91/271/EEC,
- The European Union Bathing Water Directive 2006/7/EC,
- The Groundwater Directive (2006/118/EC),
- The Sewage Sludge Directive (86/278/EEC), and
- The Nitrates Directive (91/676/EEC).

National legislation, including of particular relevance:

- The European Communities Environmental Objectives (Surface Waters) Regulations 2009, as amended,
- The European Communities (Water Policy) Regulations, 2003, as amended,

- The European Communities Environmental Objectives (Groundwater) Regulations 2010, as amended,
- The Urban Waste Water Treatment Regulations 2001, as amended,
- The Waste Water Discharge (Authorisation) Regulations 2007, as amended, and
- The Bathing Water Quality Regulations 2008, as amended.

National and regional planning and related policy, including:

- The National Planning Framework – Ireland 2040 including Strategic Outcome 9 and corresponding Investment Action contained in the National Development Plan, 2018-2027,
- The Water Services Strategic Plan where the upgrading of Ringsend Treatment Plant is recognised as a significant contribution in meeting its obligation under the Urban Wastewater Treatment Directive,
- The National Wastewater Sludge Management Plan 2016 – 2041,
- The River Basin Management Plan for Ireland 2018 – 2021,
- The Greater Dublin Strategic Drainage Study (2005) and the Greater Dublin Drainage Strategy: Overview & Future Strategy (2018),
- The Regional Planning Guidelines for the Greater Dublin Area 2010-2022,
- The Draft Regional Spatial and Economic Strategy (RSES), and
- The Eastern-Midlands Region Waste Management Plan 2015 – 2021.

Local planning context – Ringsend Wastewater Treatment Plant component:

- The provisions of the Dublin City Development Plan 2016-2022, including Policies SI1 and SI2 which support development of water and wastewater systems by Irish Water in which the upgrading of the Ringsend Wastewater Treatment Plant is specifically referenced; related Planning Objectives SIO1 and SIO2 together with stated policies and objectives in support of the proposed development in the context of proper planning and sustainable development. Regard was also had to the land use zoning objectives for the area.

Local planning context – Regional Biosolids Facility component:

- The provisions of the Fingal County Development Plan 2017-2023, including stated policies and objectives, particularly Objective WM15 which requires to work with Irish Water and other relevant stakeholders to ensure the provision of facilities for the safe and sustainable management of sludges (sewage, waterworks, agricultural, industrial and septic tank) and Local Objective 78, in support of the proposed development in the context of proper planning and sustainable development. Regard was also had to the land use zoning objectives for the area.

The following matters:

- the current performance of the existing wastewater treatment plant and the demonstrated need to improve discharge standards in order to increase capacity and meet water quality standards for bathing waters, coastal waters, transitional waters and designated sensitive waters in Dublin Bay in accordance with the requirements set out under the legislation and emissions limit values contained in the licence granted by the Environmental Protection Agency under licence number D00-34-01,

- the entirety of the documentation that accompanied the planning application and reports and submissions which were submitted by all parties, planning authorities, prescribed bodies and observers and the further submission made by the applicant during the course of the application,
- the established site context on the Poolbeg peninsula, spatially separated from residential development and the pattern of development in the area,
- the planning history of the site,
- the nature, scale and design of the proposed development, including, in particular, the proven AGS technology and the associated nitrogen and phosphorous removal in relation to the Ringsend Wastewater Treatment Plant component and the nature, scale, design and purpose of the Regional Biosolids Facility component,
- the range of proposed mitigation measures set out in the submitted Environmental Impact Assessment Report and Natura Impact Statement (incorporating Appropriate Assessment Screening), and
- the submissions made in relation to the application and the report and recommendation of the Inspector.

The Board 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, would improve the quality of effluent discharged to the receiving water environment, would assist Ireland in meeting obligations set down under EU Directives, national legislation and planning policy, and would be acceptable in terms of odour, noise, vibration and traffic. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1 Screening:

The Board agreed with and adopted the screening (Appropriate Assessment Stage one) and conclusions carried out in the Inspector's report that the South Dublin Bay and River Tolka Estuary Special Protection Area (site code: 004024), the South Dublin Bay Candidate Special Area of Conservation (site code: 000210), the North Bull Island Special Protection Area (site code: 004006), the North Dublin Bay Candidate Special Area of Conservation (site code: 000206), the Howth Head Coast Special Protection Area (site code: 004113), the Dalkey Islands Special Protection Area (site code: 004172) and the Rockabill to Dalkey Island Candidate Special Area of Conservation (site code: 003000) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

Appropriate Assessment: Stage 2:

The Board considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development as part of the overall proposed upgrade project for the aforementioned European Sites 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 appropriate assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development at the Ringsend Wastewater Treatment Plant and the Regional Biosolids Facility sites both individually, when taken together and in combination with other plans or projects,
- (b) the mitigation measures, which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

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 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 and wider proposed upgrade project, taking into account:

- (a) The nature, scale, location and extent of the proposed development across the Ringsend Wastewater Treatment Plant and Regional Biosolids Facility components.
- (b) The Environmental Impact Assessment Report and associated documentation submitted with the application.
- (c) The reports and submissions received from the planning authorities, observers and prescribed bodies and the applicant's further submission in the course of the application.
- (d) The Inspector's report.

The Board agreed with the summary and examination set out in the Inspector's report, the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application. The Board is satisfied that the Inspector's report sets out how these were addressed in the examination and recommendation and are incorporated into the Board's decision.

Reasoned Conclusions on the Significant Effects:

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, 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 are those arising from the impacts listed below. A Construction Environmental Management Plan (CEMP) is the overarching general mitigation embedded in the project design and delivery for the construction stage. In addition, plans relating to Waste Management, Invasive Species Management, Traffic Management, Odour Management, Monitoring Plans and Emergency Response Plans are also proposed. The remaining impacts, both positive and negative are:

- Benefits/positive impacts to **population and human health** arising as a result of the overall project upgrade due to providing increased treatment infrastructural capacity and improved level of treatment which would improve compliance with EU Directives and corresponding legislation and would be pivotal in supporting planned residential and economic growth in Dublin City and the region.
- Negative temporary impact on **population and human health** (recreational swimmers/water-based sporting activities) because of a deterioration in water quality during a nine-month period of decommissioning of aspects of the Wastewater Treatment Plant (during construction) and a corresponding temporary loss of recreational amenity which would be partially mitigated by carrying out the works in winter period when the recreational water-based activities are at seasonally low levels.

- Benefits/positive impacts on the environment (**soils, traffic, water quality, climate**) as a result of reduction in excavation and truck movements (estimated to be 70,000 HGV movements over an 18-month period) which would otherwise have been required to remove and transport rock and spoil during the construction phase of the undersea tunnel. During the operation phase, the proposal to omit the tunnel and associated diffuser point nine kilometres out to sea would also mean that there would be no deterioration of water quality at this location.
- Impacts arising on **land and soils** as a result of spread of invasive species (Japanese Knotweed) present on the Ringsend wastewater treatment site and which would be mitigated by the preparation and implementation of an Invasive Species Management Plan and method statement for the control of disturbance of soils containing Japanese Knotweed and the requirement that a suitably qualified ecologist would be engaged to oversee the implementation of the Invasive Species Management Plan and monitor the success of the mitigation measures post-construction.
- Risk of pollution of **receiving water environment** as a result of accidental spillages of chemicals, hydrocarbons or other contaminants entering the drainage system and discharging to the stream thereafter during the construction and operational phases. The impacts would be mitigated by measures within a Construction and Environmental Monitoring Plan (CEMP) and adherence to best practice construction measures and incorporation of appropriate drainage facilities. Measures set out in the CIRIA guidance document on 'control and management of water pollution from construction sites' would be implemented. The guidelines provided by Inland Fisheries Ireland (2016) on the protection of fisheries habitats during construction projects would also be adhered to.

- **Noise** impacts for the construction and operation phases which would be mitigated by the requirements to prepare and adhere to the Noise and Vibration Management Plans (NWMP) and comply with appropriate noise and vibration limits which are set out in the Environmental Impact Assessment Report in respect of the development of the Ringsend Wastewater Treatment Plant and the development of the Regional Biosolids Facility.
- **Odour impacts** for the operational phase which would be mitigated by the following:
 - Ringsend Wastewater Treatment Plant: Odour from the wastewater treatment plant (excluding storm tanks) would be required not to exceed 10 ouE/m³ as the 99.4th percentile of hourly averages at the boundary of the Ringsend Wastewater Treatment Plant site. The adopted odour annoyance criterion of 3 ouE/m³ as the 98th percentile of hourly averages would not be exceeded at any sensitive receptor location. The Odour Management Plan would be updated as necessary and implemented to ensure the above standard is achieved during construction and operation.
 - Regional Biosolids Facility: The adopted odour annoyance criterion of 3 ouE/m³ as the 98th percentile of hourly averages would not be exceeded at any sensitive receptor location.

The Board completed an environmental impact assessment in relation to the proposed development forming part of the overall proposed upgrade project and concluded that, subject to the implementation of the mitigation measures referred to above, including proposed monitoring as appropriate, 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 Board adopted the report and conclusions set out in the Inspector's report.

Conclusion on Proper Planning and Sustainable Development:

The benefits of the proposed development are considered to be positive. Its delivery would assist Ireland in meeting obligations set down under EU Directives, national legislation and planning policy expressed through the hierarchy plans which regulate development at a national, regional and local level. The proposed development would enable sustainable residential and economic growth through the delivery of increased wastewater treatment capacity while protecting the environment through improving the quality of effluent discharged to the receiving water environment. It has been demonstrated in the application that the improvement envisaged in final effluent quality can be achieved at the existing Ringsend Wastewater Treatment Plant by the incorporation of scientifically proven aerobic granular sludge technology into the treatment process together with associated nitrogen and phosphorous removal. When compared to the previously permitted and proposed long sea outfall (in tunnel) option, the current proposal has significant advantages and would be less intrusive on the receiving environment. The Regional Biosolids Storage Facility would assist in meeting the aims of the Sewage Sludge Directive, regulating the use of sewage sludge in agriculture to prevent harmful effects. Environmental impact assessment and appropriate assessment have also been considered as set out in the sections above. It can, therefore, be concluded that the proposed development is in accordance with the proper planning and sustainable development of the area.

CONDITIONS

Ringsend Wastewater Treatment Plant and Regional Biosolids Facility:

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the planning application and the information contained in the Environmental Impact Assessment Report and Natura Impact Statement, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development or, in default of agreement, the matter shall be referred to An Bord Pleanála for determination, and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. **Mitigation:**
 - (a) All mitigation and environmental commitments identified in the Environmental Impact Assessment Report (Table 17-1 of Volume 3 and 4) shall be implemented in full as part of the proposed development except as may otherwise be required to comply with the following conditions.

Monitoring:

- (b) All monitoring measures identified in the Environmental Impact Assessment Report (Table 17-2-of Volume 3 and 4) shall be carried out and the details of monitoring results shall be submitted to the Planning Authorities (Dublin City Council in respect of the Ringsend Wastewater Treatment Plant and Fingal County Council in respect of the Regional Biosolids Facility) except as may otherwise be required to comply with the following conditions.

Reason: In the interest of clarity and to protect the environment.

3. With the exception of the development hereby permitted, the proposed development at the Ringsend Wastewater Treatment Plant shall otherwise comply with the terms and conditions of permission granted under An Bord Pleanála case reference number 29N.YA0010, as amended by planning permission granted for alterations under An Bord Pleanála case reference numbers 29N.YM0002 and 29N.YM0004 and any further applications or alterations where permitted.

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

4. The period during which the proposed 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 Board considered it appropriate to specify a period of validity of this permission in excess of five years.

5. A contract specific Construction and Environmental Management Plan (CEMP) and Waste Management Plan (WMP) shall be submitted to and agreed in writing with both planning authorities in respect of the proposed development at the Ringsend Wastewater Treatment Plant site and the Regional Biosolids Facility site. The CEMP and WMP shall detail and ensure Best Construction Practice and compliance with statutory obligations. As part of the CEMP, the submitted invasive species management plan shall be updated as necessary for the control or disturbance to soils containing Japanese Knotweed in accordance with Irish Water Information and Guidance Document on Japanese Knotweed. The plan shall include a method statement for the removal of invasive species identified as being present on site. The implementation of the invasive species management plan shall be overseen by a suitably qualified ecologist/botanist familiar with Japanese Knotweed.

Reason: To protect the environment during construction.

6.
 - (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 authorities in respect of the development at the Ringsend Wastewater Treatment Plant site and the Regional Biosolids Facility site.
 - (b) The developer shall comply with the requirements of the planning authorities in respect of minimising traffic disruption on the local communities, cleaning and repair of any damage to the public road networks during the construction and operation phases.

Reason: To protect the public road network and in the interest of traffic safety.

7. The proposed development shall adhere to the Noise and Vibration Management Plans (NWMP) and comply with appropriate noise and vibration limits set out in the Environmental Impact Assessment Report in respect of the overall development at Ringsend Wastewater Treatment Plant and the development of the Regional Biosolids Facility. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 Noise Control on Construction and open sites Part 1, code of practice for basic information and procedures for noise control.

Construction Noise at the nearest sensitive receptor shall comply with the following limits:

- 70 L_{Aeq} (1 hour) dB – Daytime (07:00 – 19:00) and Saturdays (07:00 – 13:00)
- 65 L_{Aeq} (1 hour) dB – Evening (19:00 – 23:00)
- 55 L_{Aeq} (1 hour) dB – Night time (23:00 – 07:00)

Mitigation for the operation phase shall include a number of items such as selection of 'low noise' equipment and plant, vibration isolation mounts and appropriate siting of fixed plant.

The developer shall require the appointed contractor to employ and implement best practice construction noise and vibration management techniques throughout the construction phase in order to further reduce the noise and vibration impact to nearby noise sensitive receptors.

During the operation phase, noise shall be minimised by the selection of 'low noise' plant and equipment and incorporation of appropriate attenuation.

Noise monitoring during construction and commissioning and/or operation shall be carried out in accordance with the requirements of the planning authorities.

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

8. **Ringsend Wastewater Treatment Plant:**

During operation, odour from the wastewater treatment plant (excluding storm tanks) shall not exceed 10 ouE/m³ as the 99.4th percentile of hourly averages at the boundary of the Ringsend Wastewater Treatment Plant site. The adopted odour annoyance criterion of 3 ouE/m³ as the 98th percentile of hourly averages shall not be exceeded at any sensitive receptor location. The Odour Management Plan shall be updated as necessary and implemented to ensure the above standard is achieved during construction and operation.

Regional Biosolids Facility:

The adopted odour annoyance criterion of 3 ouE/m³ as the 98th percentile of hourly averages shall not be exceeded at any sensitive receptor location.

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

9. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within and proximate to the Ringsend Wastewater Treatment Plant site and the Regional Biosolids Facility site.

In this regard, the developer shall –

- (a) Notify the Department of Culture, Heritage and the Gaeltacht 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 site investigations and other excavation works.
- (c) Provide arrangements for the recording and for the removal of any archaeological material which the Department of Culture, Heritage and the Gaeltacht considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

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.

10. (a) Prior to commencement of development, the developer shall submit a detailed landscaping plan for each of the development components at the Ringsend Wastewater Treatment Plant and the Regional Biosolids Facility sites. Details, including strengthening of boundary treatment, screening of compounds and general landscape details, including timescales, shall be submitted to, and agreed in writing with, the planning authorities and the landscaping shall be carried out in accordance with the agreed details thereafter.
- (b) Prior to commencement of development, a detailed decommissioning and site restoration plan in respect of the construction compounds, together with a timescale for its implementation, shall be submitted to and agreed in writing with the planning authorities.

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

11. (a) The proposed development shall comply with the requirements of the planning authorities with respect to surface water management.
- (b) The existing surface water pipeline traversing the Regional Biosolids Facility site shall be realigned and a wayleave provided in accordance with the requirements of the planning authority (Fingal County Council).

Reason: In the interest of providing best practice for surface water management and to provide for future maintenance of the realigned pipe at the Regional Biosolids Facility site.

12. Prior to commencement of development, the design details for the Regional Biosolids Facility shall be submitted to and agreed in writing with the planning authority (Fingal County Council) for the prevention of environmental pollution in the event of a fire occurrence. Such detail shall also include an assessment of the risk of environmental pollution due to fire water and any mitigation measures which may be necessary.

Reason: In the interest of the protection of the environment and the amenities of the area.

13. All works to be undertaken within and adjacent to designated European Sites within Dublin Bay shall be undertaken in accordance with the requirements of a suitably qualified ecologist appointed following consultation with the National Parks and Wildlife Service.

Reason: In the interest of the protection of designated European Sites and qualifying interests, having regard to the sites' Conservation Objectives.

14. The developer shall pay to the planning authority (Fingal County Council) a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of the upgrade and signalisation of the R135 and the N2 North Bound Slip Priority Junction. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate. The application of indexation required by this condition 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.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which would benefit the proposed development.

