



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 4483/19

Appeal by Futac Services Limited care of BPS Planning Consultants of 23 Saval Park Road, Dalkey, County Dublin against the decision made on the 21st day of January, 2020 by Dublin City Council to grant subject to conditions a permission to Dublin Port Company care of RPS Group of West Pier Business Campus, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The proposed development will consist of the demolition of 10 number redundant buildings (circa 6,830 square metres) and removal of temporary structures including portacabins and general site clearance (an existing substation and pump house will remain in situ) to optimise the use of the site as a multi-functional storage yard (primarily for heavy goods vehicles) and facilitate wider infrastructural upgrades to provide additional capacity within the Port. The proposed development will also include: construction of vehicular check-in booths (circa 30 square metres), an open-air blockwork electrical enclosure, amendments to boundary treatments including provision of four metres high security fencing (including 1.5 metres high retaining walls) on the northern, eastern and southern boundaries, four

metres high security fencing fixed to the existing masonry wall along the western boundary with Bond Road, three number new 12 metres wide automatic vehicular sliding gates and re-building of one number existing nine metres wide automatic vehicular sliding gate, provision of 14 number high mast lighting columns (30 metres high) and 54 number perimeter lighting columns (12 metres high), installation of nine number CCTV columns (18 metres high), installation of new pavement, underground drainage, attenuation, interceptors, water services and electrical infrastructure, installation of new wash bay and fuel spill areas, installation of pedestrian barriers and all associated site and development works on a site of circa 9.52 hectares. All at Terminal 4 North Lands, Dublin Port, Dublin bounded by Bond Road, Tolka Quay Road and Promenade Road.

Decision

GRANT permission 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.

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

Having regard to the provisions of policy SC9 of the Dublin City Development Plan 2016-2022 to support and recognise the national and regional role of Dublin Port in the economic life of the city and region and to facilitate port activities and development, the existing developed nature of the site for port-related activities, and the nature and scale of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the site's Z7 land use zoning objective, would be acceptable in terms of pedestrian and traffic safety, would not seriously injure the amenities of the area and would be an appropriate use at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European Sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the development, either individually or in combination with other plans or projects, on these European Sites in view of the sites' conservation objectives.

The Board was satisfied that the development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on Howth Head Special Area of Conservation (Site Code: 000202), North Dublin Bay Special Area of Conservation (Site Code: 000206), South Dublin Bay Special Area of Conservation (Site Code: 000210), Rockabill to Dalkey Island Special Area of Conservation (Site Code: 003000), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), North Bull Island Special Protection Area (Site Code: 004006), Howth Head Coast Special Protection Area (Site Code: 004113), or any other European Site, in views of the sites' conservation objectives.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise and dust management measures, traffic management measures and off-site disposal of construction/demolition waste.

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

3. (a) Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.
- (b) The flood risk mitigation measures and recommendations contained in the Site-Specific Flood Risk Assessment dated October, 2019 shall be implemented in full. Any changes shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall enter into water and/or waste-water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

5. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.