

30

**An Bord Pleanála Oral Hearing
Greater Dublin Drainage Project**

Closing Submission

Presentation by Fingal County Council

Thursday 28th March 2019

AN BORD PLEANÁLA	
TIME 15:45	BY _____
28 MAR 2019	
LTR DATED _____	FROM _____
PL _____	

Introduction

- The proposed Greater Dublin Drainage project is supported by Fingal County Council
- The project is in accordance with the National Planning Framework, the National Development Plan, the Regional Planning Guidelines for the Greater Dublin Area and the Fingal Development Plan 2017 – 2023.

Greenbelt Policy

- The impact of the proposed development was assessed taking account the Development Plan as a whole.
- It is considered the proposed project is a utility installation.
- Taking the aforementioned into consideration, together with the strategic and regional scale of the project, the weight of policy support for this project is an important factor and this is clearly evident in the Fingal Development Plan.
- Complies with the National Wastewater Sludge Management Plan (NWSMP) and the Fingal Sludge Management Plan.
- Strong policy support for the project and the location of Clonshaugh for the development including the waste water treatment plant and sludge hub.
- 2017 – 2023 Development Plan policy introduction sets out location in WWTP in Clonshaugh.
- Complies with Objective WT03 and WT05 regarding implementation of the GDSDS and best available technology in waste water treatment plants.
- The landscape as set out in the Fingal Landscape Character Assessment has a low sensitivity.

Compliance with vision and objectives

- The waste water treatment plant would comply with the zoning, vision and supporting Objectives for the Greenbelt from the Fingal Development Plan 2017 – 2023 including:-

Sustainable Development

- The proposed development for a strategic infrastructural development would through facilitating waste-water services for the region ensure planned development of appropriately zoned residential and commercial development lands.
- Objectives supporting the greenbelt through intensive redevelopment of existing urban areas and other zoned lands cannot be achieved without the development of the strategic infrastructure of the Greater Dublin Drainage Project.

Visual and natural amenities of the countryside

- It is considered that the proposed layout through provision of a spatially appropriate layout and use of a bermed and planted design response on the northern, western and eastern boundaries, would protect the low lying character type of this part of the greenbelt.

Coalescence

- It is not considered that use of part of the Greenbelt for a strategic infrastructural development on land at this particular location would represent a significant encroachment on the greenbelt.

Need for location

- The proposed development, including a waste water treatment plant campus within Clonsaugh, is part of a strategic project to provide adequate waste water facilities for the future growth of south and west Fingal, Dublin City, Kildare and Meath, in addition to creating capacity for growth of South Dublin.
- The landscape design response is considered appropriate for the Green Belt and HT zonings. The development would comply with Objectives SS08 and SS09 as it has a demonstrated need for the location proposed and would through providing sustainable development opportunities on existing zoned lands, consolidate existing towns and settlements, and avoid the need for additional zoning and encroachment on greenbelts into the future.
- FCC has previously made a submission relating to development contributions.
- Noise impact on Connolly Hospital has been set out by FCC. The matter of retention of condition 13 is a matter for An Bord Pleanála.

Fingal County Council is content that the following matters have been addressed:

- Development contribution relating to the junction upgrade at the RBSF.

The applicant shall pay a contribution of €15,000 euro (fifteen thousand euro) under Section 48(2)(c) of the Planning and Development Act 2000 (as amended) being a proportionate cost in respect of the full cost of the upgrade and signalisation of the R135 and the N2 North Bound Slip priority junction.

Reason: To provide a contribution to ensure the provision of necessary infrastructure in accordance with Section 48(2)(c) of the Planning Development Act 2000 (as amended)¹.

- To re-iterate, as stated yesterday in Aebhin Cawley's response regarding the use of lands where it is proposed to locate construction Compound No. 9 by brent geese, there is no known significant current or historic usage of these lands by brent geese or other waders. In relation to Map 4, referenced in Ms. Joyce-Kemper's submission², Fingal County Council's Biodiversity Officer (one of the report's authors) has confirmed that the indication of these lands on Map 4 being used by brent geese and waders was based on anecdotal local knowledge rather than confirmed scientifically collected datasets. Thus, while it is quite possible that small numbers of brent geese and/or waders have on occasion made use of this field, the best available scientific knowledge and evidence for these lands does not indicate any known significant current or historic usage of these lands by brent geese or other waders.
- Regarding matters relating to the Natura Impact Assessment FCC is satisfied with the information submitted by Irish Water³.
- Issues regarding Water Quality relating to Bathing Water and Shellfish Waters have been dealt with to the satisfaction of FCC.
- Issues regarding the road layout proximate to the WwTP have been dealt with to the satisfaction of FCC.
- Regarding planning conditions in the event of a grant of planning permission, FCC iterate the contents of Section 7.8 of the Development Management Guidelines for Planning Authorities (2007) regarding planning conditions relating to other codes which states:- *It is inappropriate, however, in development management, to deal with matters which the subject of other controls unless there are particular circumstances e.g. the matters are relevant to proper planning and*

¹ As agreed with Irish Water on 27th March 2019.

² An extract from "Ecological Study of the Coastal Habitats in County Fingal Phase II Birds", Fingal County Council, November 2004.

³ As per Aebhin Cawley's evidence on 27th March 2019.

sustainable development and there is good reason to believe that they cannot be dealt with effectively by other means.

Community Fund.

- FCC seeks to draw the attention of An Bord Pleanála to a condition which could be suitably modified to provide for a water conservation and habitat improvement fund.

A local fund shall be established to support water conservation and habitat improvement projects within the project catchment area which would be of benefit to the community and the environment in the general catchment. The fund shall include a once off capital contribution to 0.0001% of the stated capital cost of the facility and an annual contribution of €10,000. Details of the management and operation of the project fund which shall be lodged in a special community fund account, shall be agreed between FCC and a community liaison committee, members of which shall comprise a elected members from FCC, DCC, from Irish Water and relevant community organisations.