

Development Applications Unit  
The Manager  
Department of Culture, Heritage and the Gaeltacht  
Newtown Road  
Wexford  
Co. Wexford

Date: 27th August 2018

Re: Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional biosolids storage facility  
Townlands of Clonshagh, Dubber and Newtown, County Fingal and Dublin City

Dear Sir

An Bord Pleanála has received your submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

The Board will revert to you in due course in respect of this matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of Dublin City Council and Fingal County Council and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: [www.pleanala.ie](http://www.pleanala.ie).

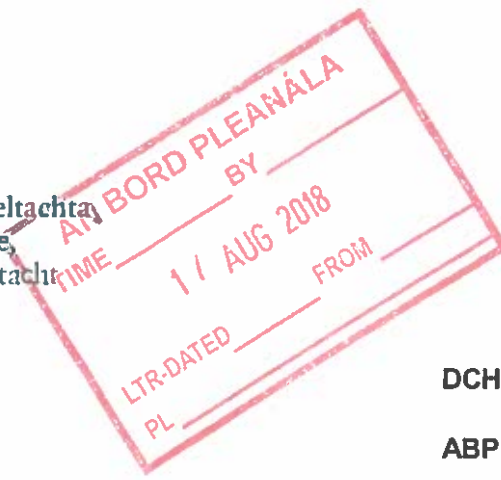
If you have any queries in the meantime, please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Kieran Somers  
Executive Officer  
Direct Line: 01-873 7107



An Roinn Cultúir,  
Oidhreacht agus Gaeltachta  
Department of Culture,  
Heritage and the Gaeltacht



17 August 2018

DCHG:SID-2018-DF-06

ABP: 06F.PC0152

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1

Application by Irish Water for 10 year planning permission for an integrated wastewater treatment project referred to as the Greater Dublin Drainage Project. These works seek to construct a new regional WWTP at Clonshagh, a pumping station at Abbotstown and associated pipelines from Blanchardstown to a final termination point at seabed level approx. 1km north east of Ireland's Eye in the Irish Sea in Fingal, Co Dublin

A Chara,

I refer to the notification received from Jacobs Engineering on behalf of Irish Water with regard to the above proposed Strategic Infrastructure Development (SID). Outlined below are the nature conservation recommendations of the National Parks & Wildlife Service (NPWS) and the archaeological heritage recommendations of the National Monuments Service (NMS) of the Department of Culture, Heritage, and the Gaeltacht.

### **Archaeological Heritage**

The proposed development is located within an area rich in archaeological remains indicating a continuum of human activity from the Neolithic to Post-Medieval periods. There is potential for the discovery of archaeological material during the construction process.

### **Archaeological Heritage – recommended conditions**

Given the potential for the discovery of hitherto unrecorded archaeological remains it our recommendation that the following condition be attached to any grant of permission that may issue in relation to this application:

1. The Archaeological Mitigation Measures detailed in Section 16.6 of the Planning and Environmental Considerations Report shall be implemented in full. All archaeological excavation works shall be undertaken subject to the approval of archaeological method statements by the Department of Department of Culture, Heritage and the Gaeltacht.



## **Nature Conservation**

Whilst this project will only be within one European site, the Rockabill to Dalkey Island Special Area of Conservation (SAC) (003000) designated under the EC Habitats Directive (Council Directive 92/43/EEC), there is potential for disturbance and/or displacement to birds (ex-situ impacts) from nearby Special Protection Areas (SPAs) designated under the EC Birds Directive (Directive 2009/147 EC), in particular those closest such as Baldoyle Bay SPA (004016 ) and Irelands Eye SPA (004117). Such disturbance/displacement impacts could result from construction compounds 9 and 10 and from the vessels laying the sub-sea section of cable. It is noted that construction compounds 9 and 10 will have hoarding erected as mitigation to visually screen the activities from birds.

## **Marine**

The Department of Culture, Heritage and the Gaeltacht would note that the construction and operation is unlikely to have a permanent negative interaction with marine Natura 2000 nature conservation sites due to the nature of works.

It is recognised that an evaluation of the potential interaction with marine mammals is clearly presented in the documentation circulated by An Bord Pleanála. The proponent must ensure that the operational mitigation is compliant with "Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters". The latest version of this document was published in January 2014 and is available to download from <http://www.npws.ie/marine/bestpracticeguidelines/>.

## **Construction Compound No. 9**

This Department notes that it is stated that 20% of the lands zoned as a quiet zone in the Portmarnock South Local Area Plan (LAP) will be utilised for the proposed temporary construction compound No. 9. This LAP zoned some agricultural lands as residential, but, because of ex-situ impacts whereby birds from the nearby Baldoyle Bay SPA used them for roosting and feeding, areas were set aside for birds in the LAP as mitigation against disturbance and loss of habitat. One such area is the quiet zone for Brent Geese and wader species, which is to be enclosed during the winter months to prevent disturbance. This Department also notes that the access road to this temporary compound will pass through an area also zoned in the LAP for birds, which is to contain arable crops for native and migratory birds. The zoning of these two areas are shown on figure 5.2 of the Portmarnock South LAP entitled "Green Infrastructure and Landscape Strategy".

An Bord Pleanála recently granted permission for Phase B, consisting of 150 residential units, in the above mentioned LAP area (Ref ABP-300514-17). This Department understands that the lands zoned for birds have only recently been handed across by the developer to Fingal County Council for the management outlined in the LAP for these 2 areas and that this management will be put in place this autumn.



In carrying out an appropriate assessment, An Bord Pleanála must assess whether the temporary loss of these lands, zoned as mitigation for birds, will negatively impact on wintering birds, when considered cumulatively with the construction activities that have and will be taking place in the LAP lands. In reaching a decision it will need to be determined what other quiet areas will be available for wintering birds in the absence of this 20%, and how the phasing of the residential building might coincide with the construction of temporary construction compound no. 9. While this residential development has been mentioned in the NIS in table 6-11, the cumulative impact does not appear to have been adequately discussed and assessed.

#### Habitat Restoration in Construction Compound No. 10

This Department notes the intention to restore the habitat when the temporary construction compound is removed. This Department recommends that in order to enhance the habitat, that consideration should be given to attempting to restore some of the area to its previous fixed dune habitat.

#### Badgers

This Department notes that some badger setts will be impacted. An Bord Pleanála should note that this will require a licence from the National Parks and Wildlife Service of this Department. This Department normally recommends that such a licence be applied for in advance of planning to ensure that no modifications would be required or the project delayed at construction stage.

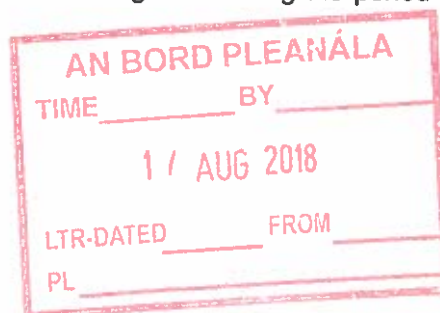
#### Newts

Any proposed relocation of newts, or destruction of newt breeding ponds, at the Coldwinters site will require a licence from the National Parks and Wildlife Service of this Department. This Department normally recommends that such a licence be applied of in advance of planning to ensure that no modifications would be required or the project delayed at construction stage. Where ponds used by newts will be lost the construction of new ponds should be considered as mitigation.

#### Tree felling

It is noted that in order to protect bats that trees will be felled during August to October to avoid bat roosts, if any.

In order to protect nesting birds, as required by article 5 (d) of the Birds Directive, this Department recommends that this date is changed to during the period September to October.





### Mitigation

This Department recommends that all the mitigation proposed in the assessments to protect the natural heritage should be included as a condition of any permission granted for this proposed project, in particular the appointment of an ecological clerk of works for the duration of the project, and mitigation relating to estuarine and marine birds, water quality, bats, badgers, newts, tree and hedgerow replacement and the restoration of the wetland habitat. An Bord Pleanála should ensure that the outline construction management plans adequately allow for the implementation of all the mitigation measures including the possibility of any bentonite spill into Baldoyle Bay.

With regard to marine mitigation, it should be a condition of any planning granted that the operational mitigation should be compliant with "Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters". As stated above the latest version of this document was published in January 2014 and is available to download from <http://www.npws.ie/marine/bestpracticeguidelines/>.

Kindly forward any further information received; or in the event of a decision being made a copy of same should be forwarded to the following address as soon as it issues:

The Manager,  
Development Applications Unit,  
Department of Culture, Heritage, and the Gaeltacht,  
Newtown Road, Wexford Y35 AP90

Preferably, documentation associated with the above can be referred electronically to the DAU at the following address: [manager.dau@chg.gov.ie](mailto:manager.dau@chg.gov.ie)

In addition, please acknowledge receipt of these observations by return.

Is mise le meas,

Michael Murphy,  
Development Applications Unit  
Tel: (053) 911 7516