

**DCC Ref: PARTX/0024**

**ABP Ref: ABP -304888-19**

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**Submission under Section 37E(4) of the Planning and Development Acts 2000 as amended in relation to the proposed development at Oil Berth 3 and Oil Berth 4, Eastern Oil Jetty, Dublin Port, off Jetty Road and Breakwater Road South, and at Berths 50A, 50N, 50S, 51, 51A, 49, 52, 53 and associated terminal yards at Dublin Port Dublin 1 and 3.**  
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### **Requirements of the Planning Authority**

The proposal comprising development at Oil Berth 3 and Oil Berth 4, Eastern Oil Jetty, Dublin Port, off Jetty Road and Breakwater Road South, and at Berths 50A, 50N, 50S, 51, 51A, 49, 52, 53 and associated terminal yards has been accepted as an infrastructure project and the application for the development has therefore been made to An Bord Pleanála (ABP). As per the requirements of S37E(4), Dublin City Council, as the Planning Authority for the area in which the proposed development would be located is obliged to prepare and submit to the Board a report setting out the views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the area. S37E(5) requires that the Chief Executive shall submit the report to members of the authority and seek the views of the members on the proposed development before submitting any report to An Bord Pleanála.

### **Description of Proposed Development and scope of this report**

#### **Site Location**

The proposed development would be located within Dublin Port, the Liffey channel and Dublin Bay. Dublin Port forms a self-contained entity located to the east of the city and the subject application site is comprised of a portion port lands located to the east of the Alexandra Basin along the north side of the River Liffey.

Dublin Port is bound to the west by East Wall Road and East Link Bridge, to the South by East Wall Road, to the north by the Tolka Estuary and to the east by Dublin Bay. Dublin Port and the surrounding area are mainly characterised by industrial and port-related land uses. The area to the west is dominated by commercial uses including the 3 Arena (Point Depot), the Gibson Hotel as well as student housing and residential developments. The lands to the north of the port are largely industrial in character with residential beyond at Clontarf. To the south lies, across the Liffey, lies mainly port-related uses and public utilities including the Poolbeg electricity generating station and wastewater treatment plant.

There are three main vehicular access points to the Port Estate which comprises a network of internal roads and junctions. The first access point is via Promenade Road in the vicinity of the Dublin Port Tunnel and East Wall Road, while the second and third access points are located in the western section of the Port Estate along East Wall Road at Alexandra Road and the Terminal 3 entrance. The original historic entrance to Alexandra Basin West and North Wall Quay Extension is also located off East Wall Road in the vicinity of the Point Roundabout and the East Link Bridge.

### **Proposed Development**

The proposed development seeks to provide for the following at Dublin Port:

- A new Ro-Ro jetty (Berth 53) for ferries up to 240m in length on an alignment north of the port's fairway and south and parallel to the boundary of the South Dublin Bay and River Tolka Estuary SPA (004024);
- A reorientation of Berth 52 permitted under An Bord Pleanála Ref. PL29N PA0034;

- A lengthening of an existing river berth (50A) to provide the Container Freight Terminal with additional capacity to handle larger container ships. These works will include the infilling of the basin east of Oil Berth 4 on the Eastern Oil Jetty.
- The redevelopment of Oil Berth 3 as a future deepwater container berth for the Container Freight Terminal. This would include the change of use of the berth from petroleum importation to container handling.
- Consolidation of passenger terminal buildings, demolition of redundant structures and buildings, removal of connecting roads and reorganisation of access roads to increase the area of land for the transit storage of Ro-Ro freight units.

### Berth 53

The applicant has set out that Berth 53 will be used predominantly for the berthing of Ro-Ro ferries and will accommodate ferries up to 240m in length. The proposed works include the construction of a new Ro-Ro jetty structure of approximately 406m in overall length to accommodate a new river berth. As per the public notices, the development will also consist of the following:

- Construction of 8 no. reinforced concrete mooring dolphins on tubular steel piles;
- Construction of a new linkspan structure to allow two-tier access to the Ro-Ro ferries;
- Construction of a new ramp structure to access the upper linkspan tier;
- Construction of a new deck structure to allow access to the lower linkspan tier and dolphins;
- Construction of a reinforced concrete access/maintenance route to the dolphins;
- Construction of a reinforced concrete bankseat for the linkspan;
- Dredging of a berthing pocket to a standard depth of -10.0m CD;
- Installation of scour protection mattresses to provide slope stabilisation and scour protection to the dredged berthing pocket;
- Installation of a wash protection structure to the north line of the 406m jetty structure;
- Installation of jetty furniture including visual screening barriers, fenders, mooring bollards, handrails and an automated mooring system;
- Installation of a power outlet for Ship to Shore Power which will be fed from the proposed substation adjacent to the proposed parking and set down area.

### Berth 52

This berth will accommodate the bow-to and stern-to berthing of a wide range of ferries up to 240m in length, which was granted planning permission, under An Bord Pleanála Ref. PL29N.PA0034, but is required to be repositioned as a result of the proposed development of Berth 53. The proposed amendments to Berth 52 comprise the following:

- Rotation of Berth 52 and all associated elements including Ro-Ro jetty (288m), linkspan structure to allow two-tier access to the Ro-Ro ferries, ramp structure to access the upper linkspan tier, and, reinforced concrete bankseat for the linkspan by approximately 9 degrees (clockwise);
- Installation of a new power outlet for Ship to Shore Power which will be fed from the proposed substation adjacent to the proposed parking and set down area, and;
- Construction of a new piled quay wall structure approximately 52m in length to accommodate the linkspan structure associated with Berth 52 and to provide additional operational quayside space at Berth 49.

### Berth 50A, Oil Berth 03 and Oil Berth 04

It is proposed to extend existing Berth 50A to provide a multi-purpose predominately Lo-Lo Container Vessel berth. The proposed works will involve the infilling of Oil Berth 4 and consolidating operations from Oil Berth 4 into Oil Berth 3. Oil Berth 3 will be redesigned as a multi-purpose structure, initially for oil tanker berthing, with future potential use as a container vessel berth. The infilled area will provide additional container terminal storage area. The works will comprise the following elements:

- Demolition of the Eastern Breakwater Pier Head (which forms part of the Eastern Breakwater Dublin City Industrial Heritage Record 19-09-002), the southern end of the Eastern Oil Jetty (275sq.m), the Port Operations Building and ancillary structures (600sq.m), and the existing pilot boat pontoon and gangway;
- Construction of a new quay wall approximately 125m in length extending Berth 50A westwards to provide an overall quay length of approximately 305m;

- Construction of a new quay wall providing an overall quay length of approximately 239m in front of Oil Berth 3;
- Stabilisation of the existing quay wall at Jetty Road through the construction of a new quay wall in front of existing Jetty Road quay approximately 120m long;
- Installation of quay and deck furniture including crane rails, fenders, mooring bollards and emergency ladders.
- Dredging of a berthing pocket to a standard depth of -11.0m CD to Berth 50A; and;
- Dredging of a berthing pocket to a standard depth of -13.0m CD to Oil Berth 3;
- Infilling of Oil Berth 4 and construction of a new piled reinforced concrete deck (20,000sq.m) which includes works to the Eastern Breakwater (Dublin City Industrial Heritage Record 19-09-002);

#### Dredging and Disposal Works

It is noted that under ABP Ref. 29N.PA0034 the navigation channel, including a portion adjacent to the current application red line boundary, has permission to be deepened from -7.8m CD to -10.0m CD. It has been advised, within the application documentation, that the dredging scheme commenced in October 2017 with dredging activity taking place within the navigation channel and fairway within Dublin Bay. The applicant has set out that in order to facilitate the safe navigation and turning of vessels of up to 240m in length, and the expected increased frequency of sailings, channel widening works will be required to the south of the existing navigation channel, which would be carried out via dredging works. It is noted that the loading and dumping of the dredged material will be subject to separate consents including a Foreshore Licence from the Department of Housing, Planning and Local Government (DHPLG) and a Dumping at Sea Permit, which is required to be obtained from the Environmental Protection Agency (EPA).

#### Unified Ferry Terminal

It is also proposed to provide a Unified Ferry Terminal, at the eastern end of the port, to facilitate Irish Ferries, Stena Line, P&O and other seasonal operators. The existing operations in this area will be relocated to the western end of the port. The area at the eastern end of the port currently includes facilities for traffic and passengers both within the International Ship and Port Facility Security (ISPS) restricted area and areas outside the restricted area where public access is possible. It is proposed to relocate all public access to the perimeter of the site leaving the internal area free for unified port operations. The proposed area will comprise approximately 34.4 hectares of hardstanding space and is envisaged to be used in a "flexible manner", being generally split into staging areas for accompanied heavy goods vehicles (HGVs), accompanied cars and unaccompanied trailers. In order to facilitate the proposed Unified Ferry Terminal, permission is sought for demolishing the existing structures within the site, totaling c.3,576sq.m, including Terminal 2 Building, Terminal 5 Building, Terminal 5 check-in, Terminal 5 sheds, Terminal 1 car check-in booths as well as a number of other structures.

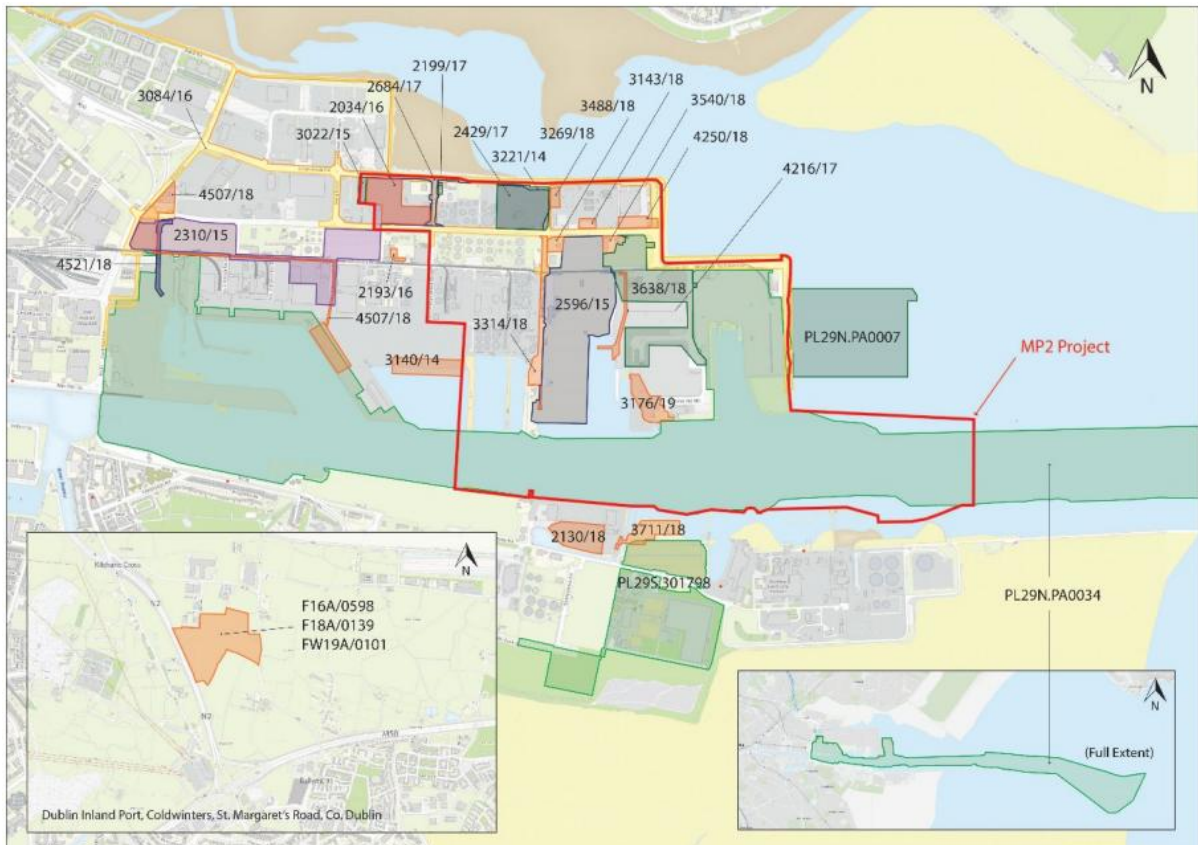
#### **Documentation**

The following documentation is included with the application; a full set of drawings, an Environmental Impact Assessment Report, Natura Impact Statement, and a planning report with appendices which address the following:

- a) MP2 Project: Project Rationale
- b) Description of Port Operations
- c) Community Gain Proposal

#### **Planning History**

As part of the current application, the applicant has prepared a detailed map setting out the Planning History within Dublin Port since 2014, which has been reproduced below;



Source: RPS Planning Report; 2019

**ABP Ref. PL 29N.PA0034:**

In July 2015 planning permission was granted by An Bord Pleanála under section 37E of the Planning and Development Acts, for the redevelopment of Alexandra Basin and Berths 52 and 53 together with associated works in Dublin Port including the dredging of the Liffey approach channel. The permitted development may be broken into 3 no. parts: works to Alexandra Basin, works to Berth 52 and 53, and works to the Liffey Channel.

**Alexandra Basin:**

- Excavation and restoration of historic Graving Dock No. 1;
- Infilling of Graving Dock No. 2 (6,055sq.m);
- Demolition of the bulk jetty (3,200sq.m);
- North Wall Quay extension (21,700sq.m);
- Extension of Alexandra Quay West (130m);
- Construction of a new Ro-Ro jetty (273m) and 3no. Ro-Ro ramps; and
- Dredging of 470,000m.cu of contaminated material, to a depth of -10.0m CD over an area of 194,000m.cu within the redeveloped Alexandra Basin, and its remediation.

**Berth 52 and 53:**

- Demolition of existing Berths 52 and 53;
- Construction of a jetty at Berth 52 (500sq.m);
- Concrete Dolphin at Berth 53 (500sq.m);
- The construction of;
  - New river berth at Berths 52/53 (300m);
  - New 75m mooring jetty at new river berth;
  - New 40m long mooring jetty to extend existing Berth 49 (50m long);
- Infilling of the Terminal 5 Ro-Ro basin (45,650sq.m);
- Raising of existing levels by 1.4m over an area of 95,000sq.m; and
- Dredging of new river berth to -10.0m CD.

Liffey Channel:

- Construction of a marina protection structure to a height of +7.0m CD and a length of 220m on the south side of the river channel;
- Dredging of the shipping channel to a depth of -10m CD from a point 55m to the east of the East link bridge, to a location in the vicinity of Dublin Bay, a total distance of 10,320m.

**ABP Ref. PL 29N.PA0007**

The Gateway Project which was a submission under Section 37E(4) of the Planning and Development (Strategic Infrastructure) Act 2006 was refused permission by An Bord Pleanála. It proposed an extension of 21 hectares of landfill to the east of the Port in an area that was a proposed SPA. It provided for both additional open container storage and handling areas and new quayside facilities and berths. It did not cater for cruise ships.

The proposed development was refused permission for the following reason:

*“The proposed development is partly within the South Dublin Bay and River Tolka Estuary proposed Special Protection Area (pSPA), designated under the Birds Directive. On the basis of the submissions made in relation to the proposed development, it is considered that*

- The significance of the permanent loss of wetland habitat from the pSPA arising from the proposed development has not been clearly or adequately established;*
- The full extent of long-term changes to the morphology, sediment regime and consequent impacts on the benthic food resource within the Tolka Estuary as a result of hydrodynamic changes generated by the proposed development has not been adequately established, and;*
- The significance of the development site for use by bird species that are qualifying interests for the pSPA has not been clearly established, and;*
- The significance of the permanent loss of the benthic food resource as a result of the proposed development has not been adequately established.*

*Accordingly, the Board is not satisfied that the proposed development would not adversely affect the integrity of the South Dublin Bay and River Tolka Estuary pSPA and is not satisfied that it would not adversely affect the natural heritage of Dublin Bay, contrary to the proper planning and sustainable development of the area.”*

<b>Planning Ref.</b>	<b>Summary of Development within the Port</b>
Pl. Ref. 3176/19	Planning Permission granted for the development of an additional approach and ramp in addition to office and staff facilities building at Berth 49.
Pl. Ref. 4250/18	Planning permission was granted on 6th June 2019 for the demolition of an existing ESB Substation (approx. 25sq.m and 3.2m height), general site clearance, and construction of new ESB Substation building (approx. 40sq.m and 3.1m height) at Crosbie’s Yard, Dublin Port.
Pl. Ref. 3638/18	Planning Permission granted for the upgrade of Terminal 1 and 2 facilities including consolidated vehicle check-in facilities and revised stacking and circulation arrangements. The proposed development also includes the provision of State Services facility for control and inspections of passengers and freight.
Pl. Ref. 3269/18	Planning Permission granted for the removal of plinths, fences and vegetation etc; new pavement construction including underground drainage and electricity infrastructure; 2 no. CCTV poles (18m high); new lighting (including 2 no. lighting columns 30m high and 10 no. lighting columns 12m high); new 4m high security fence on western and southern boundaries; new 7.2m high firewall on the eastern boundary and; a 5m sliding gate as fire access on the southeastern corner of the site. All development to take place on a site approx. 0.3 hectares. The application is for a 10-year planning permission. The development is located on a Former Calor Site, Breakwater Road North, Dublin Port, Dublin 1.

Pl. Ref. 3540/18	Planning Permission granted for the demolition of a single storey office building (785sq.m); maintenance shed building (840sq.m); reinforced concrete bund and steel tank (42sq.m); boiler room building; and all associated general site clearance. The development also comprises hard surfacing to provide a yard for storage across the extent of the site. The proposed development shall facilitate the consolidation of Calor activities within the port lands.
Pl. Ref. 3314/18	Planning Permission granted for the upgrade of access to the Dublin Port Operations Centre and the Dublin Ferryport Terminals (DFT).
Pl. Ref. 3143/18	Planning Permission granted for the construction of a vehicle service/ maintenance facility and office accommodation contained in one building (approx. 946sq.m) incorporating vehicle service/maintenance bays, a two-story office area of 260sq.m with offices, meeting/training room, canteen and changing area, toilets, building signage. Associated site works including fencing, 55 no. car parking spaces, reconfiguration, and widening of existing entrances/exits and connection to existing services on Tolka Quay Road. The subject site is located to the north of and adjacent to the MP2 site boundary.
Pl. Ref. 4216/17	Planning Permission granted for floating dock sections (pontoons) with an area of c.321sq.m, access walkway and removal of internal structural and infrastructural elements including vegetation, plinths, fences and bollards; new access roadway. The pontoon shall provide enhanced docking facilities for tug boats operating in the port.
Pl. Ref. 2429/17	Planning Permission granted for the demolition of 3 no. existing buildings comprising a blockwork structure of c. 283sq.m, a temporary modular structure of c. 303sq.m and a portal frame shed building of c. 112sq.m and removal of all structural and infrastructural elements, vegetation, plinths, fences etc. A new concrete surface treatment is to be provided across the entire site. The new yard facility includes CCTV, new lighting and new approx. 4m high-security fence to northern, eastern and southern (Tolka Quay Road) boundaries. The development also includes the closure of the existing (eastern) vehicular entrance and widening of the existing western entrance to provide a 12m sliding gate on Tolka Quay Road.
Pl. Ref. 2199/17	Planning Permission granted for the construction of a two-story operations building of 432sq.m, an ESB substation of 21.8sq.m with ancillary transformer and generator and site clearance works. The ground floor of the proposed operations building of 216sq.m will accommodate welfare facilities, supervisors control room, conference room, electric switch room and stores. The first floor of 216sq.m will contain the company offices.
Pl. Ref. 3084/16 as amended by Pl. Ref. 2684/17	<p>Planning permission granted for works to the port's private internal road network and includes works on public roads at East Wall Road, Bond Road and Alfie Byrne Road. The development includes inter alia:</p> <ul style="list-style-type: none"> <li>• Construction of new roads and enhancements to existing roads within the Dublin Port estate north of River Liffey;</li> <li>• Construction of enhanced landscaping and amenity route along the northern boundary;</li> <li>• Construction of new pedestrian and cycle overbridge and underpass at Promenade Road;</li> <li>• Ancillary construction works, including site clearance, demolitions, earthworks, pavement construction, construction of verges, modifications to accesses, construction of new and amended drainage services, diversion and installation of utility services, boundary works, installation of road markings and signs and accommodation works.</li> </ul>
Pl. Ref. 2034/16	Planning Permission granted for the retention of development for alterations to previously granted permissions under P.A. Reg. Ref. 2310/15 and P.A. Reg. Ref. 3022/15 and consists of: (a) On the Promenade Road frontage: a 4m high fence and a 9m wide roller access gate. (b) On the eastern side: added fencing to the existing boundary wall to bring it to an overall height of 4m. (c) On the No.2 Branch road frontage: a 9m wide roller access gate and 4m high fence. (e) On the western side: a 4m high fence.

Pl. Ref. 3022/15	Planning Permission granted for (a) the removal of a vehicular gate fronting Promenade Road, Dublin Port, Dublin 3 and replacement with a new 4m high fence. (b) the erection of new 4m high fences in place of defective or inadequate fencing on three sides of the site. (c) the incorporation of the site into the adjacent site located to the east and (d) the construction of new reinforced concrete surfacing and new replacement drainage and water system and associated ancillary works.
Pl. Ref. 2596/15	Planning Permission granted for the relocation of the existing vehicular and pedestrian entrances off Breakwater Road South to a new location off Breakwater Road South, alterations to the existing layout of the road. This approval has been implemented by the DPC.
Pl. Ref. 2310/15	Planning Permission granted for the erection of new fencing fixed to the existing boundary walls to bring the overall height of the boundaries to 4m, the erection of new 4m high fences in place of existing defective or inadequate fencing and walls, the erection of new replacement gates to a height of 4m, the erection of 16 no. 30m high lighting masts and luminaries, the incorporation of 3 Branch Road South (a private road) into the adjoining quayside goods handling area, the construction of new re-enforced concrete surfacing and new replacement drainage and water supply system and associated ancillary works.
Pl. Ref. 3221/14	Planning Permission granted for the development will consist of modifications to previously approved planning permission, Reference 3171/12. The modifications will consist of the following: 1. Re-designation of Tank 6 (T406) to store Jet A 1/Kerosene instead of Ethanol; 2. Re-designation of Tanks 7 and 8 (T407 and T408) to store ethanol instead of unleaded gasoline (ULG); 3. Tanks 1, 2, 3, 4, 5 and 6 to be located in one Bund instead of two bunds; 4. Tanks 7, 8 and 9 to be double-skin tanks with a single bund wall instead of single-skin tanks with two bund walls; 5. Deletion of the 3m high secondary containment (inner) concrete wall around Tanks 7, 8 and 9; 6. Reduction of the height of the tertiary containment concrete walls of the bunds and of the perimeter walls from 3m to 2m. There will also be palisade fencing on the boundary. These changes will reduce the storage capacity for Class I liquids by approximately 30%. The total storage capacity of all hydrocarbons will be unchanged.

## Policy Context

### Planning Order S.I. No. 57 of 2019

In February 2019, the Minister for Public Expenditure and Reform, in advance of the impending withdrawal of the United Kingdom from the European Union, made the Planning and Development Act 2000, Section 181(2)(a) Order No. 1, 2019 [S.I. No. 57 of 2019]. Pursuant to that Order, the provisions of the Planning and Development Act 2000, and the provisions of Part 9 of the Planning and Development Regulations, 2001 shall not apply to the development being carried out on behalf of the Minister by the Office of Public Works.

The locations and descriptions of the development are set out in the schedule included within the order. The order relates to development on the following sites:

- Former Crosbie's Yard at Crosbies Yard, Tolka Quay Road, Dublin Port, Dublin 1, DO1 K7T3;
- Former Storecon site at Tolka Quay Road (site bounded by 1 Branch Road South to the east and by Promenade Road to the north), Dublin Port, Dublin 1.

It is noted that both of these sites are located within the application boundary for the proposed development.

### National Port Policy 2013

The National Ports Policy 2013 divides ports into three categories with the top tier consisting of three Tier 1 Ports of National Significance, which includes Dublin Port. The National Port Policy states that "*The continued commercial development of the three Ports of National Significance is a key objective of National Ports Policy*" and goes on to state that "*The Government endorses the core principles underpinning the Port Company's Masterplan and the continued development of Dublin Port is a key strategic objective of National Ports Policy.*"

### Project Ireland 2040 National Planning Framework

Project Ireland 2040 National Planning Framework (NPF), published in July 2018, is the primary articulation of spatial, planning and land use policy in Ireland. The framework is based on directing development to existing settlements rather than allowing the continual expansion and sprawl of cities and towns.

The NPF confirms that the role of Tier 1 ports (which include Dublin Port) will be considered in tandem with long-term infrastructural requirements as part of the Regional Spatial and Economic Strategy and Metropolitan Area Strategic Plan processes through National Policy Objective 40 which states:

*“Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, ports of regional significance and smaller harbours are addressed as part of Regional Spatial and Economic Strategies, metropolitan area and city/county development plans, to ensure the effective growth and sustainable development of the city regions and regional and rural areas”.*

### Regional Spatial and Economic Strategy for the Greater Dublin Area 2019-2031

The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region including the Metropolitan Area Spatial Plan (MASP) for Dublin was published in June 2019. The RSES is a strategic plan and investment framework to shape the future development of the region to 2031 and beyond. Relevant regional Policy Objectives guiding the development of ports, and specifically Dublin Port, within the RSES include:

RPO 8.21: The Eastern and Midland Region Authority will support the role of Dublin Port as a Port of National Significance (Tier 1 Port) and its continued commercial development, including limited expansion and improved road access, including the Southern Port Access Route.

### Dublin City Development Plan 2016-2022

The Dublin City Development Plan is supportive of Dublin Port, recognising the important role it plays in the economy and development of Dublin City and Region and is expressed in the policies and objectives of the Development Plan. The context is set out in chapter 4 which states that Dublin City Council fully supports and recognises the important national and regional role of Dublin Port in the economic life of the city and the region and the consequent need in economic competitiveness and employment terms to facilitate port activities which may involve port development or relocation in the longer term.

In addition to this high-level support, Development Plan contains a number of policies and objectives facilitating Dublin Port operations and activities, including:

SC9: To support and recognise the important national and regional role of Dublin Port in the economic life of the city and region and to facilitate port activities and development, having regard to the Dublin Port Masterplan 2012 - 2040.

CEE23 (iii): To recognise that Dublin Port is a key economic resource, including for cruise tourism, and to have regard to the policies and objectives of the Dublin Port Masterplan.

Section 7.6.3 of the City Development Plan also recognises the role of Cruise Shipping and Retail for Dublin City and sets out that Since 2010, between €35 million and €50 million has been generated for the local economy through cruise traffic.

Section 16.21 notes that, in assessing proposals for the Dublin Port area, the planning authority will have regard to the following:

- Recognition of the important role of Dublin Port in the economic life of the city and the region and the consequent need in economic and employment terms to facilitate port development;
- Periphery of the port area facing residential areas to be designed and landscaped to minimise the impact of its industrial character
- Impact on nature conservation, recreation, and amenity use, and other environmental considerations, including having regard to the designation of Dublin Bay as a UNESCO



biosphere and other environmental designations such as Special Area of Conservation (SAC) and Special Protection Area (SPA);

- Protection of the amenities of residential and commercial uses in adjoining areas;
- Design criteria including landscaping, finishes, signage and site layout;
- Facilitating plans to make Dublin a 'home port' for cruise tourism, with complementary cruise tourism facilities in the port and wider city/region.

### *Zoning*

Under the current Dublin City Development Plan (2016-22) the lands that form part of the development, as well as those adjoining it, are largely zoned Z7 Industry and Employment 'to provide for the protection and creation of industrial uses and facilitate opportunities for employment creation' with a small area located within the Z9 Amenity/Open Space Lands/Green Network zoning objective which seeks to preserve, provide and improve recreational amenity and open space and green networks.

Port-related industries and facilities are permitted in principle within the Z7 land-use zoning objective. Section 14.8.7 of the plan notes that the majority of lands with this zoning are situated in Dublin Port, with the primary uses being those which can result in a standard of amenity which would not be acceptable in other areas, and can result in disamenity which needs to be managed through the planning process to safeguard adjoining residential amenities.

The Z9 (Amenity/Open Space Lands/Green Network) zoned lands are located along the outer perimeter of the Port, providing a green buffer along the northern and eastern site boundary. The City Development Plan permits Open space uses in principle on Z7 lands while Community facilities and Cultural/recreational buildings and uses are listed as being Open for Consideration.

### *Built Heritage*

The Development Plan to protect and enhance the special characteristics of the city's built and natural heritage. Policy CHCO10 of the Dublin City Development Plan states: "6. *To have regard to the city's industrial heritage and Dublin City Industrial Heritage Record (DCIHR) in the preparation of Local Area Plans (LAPs) and the assessment of planning applications and to publish the DCIHR online. To review the DCIHR in accordance with Ministerial recommendations arising from the national Inventory of Architectural Heritage (NIAH) survey of Dublin City and in accordance with the Strategic Approach set out in Section 11.1.4 of this chapter*".

There are no protected structures located within the application boundary, however, it is noted that the Eastern Breakwater is included in the Dublin City Industrial Heritage Record (DCIHR).

### *Natural Heritage*

The Development Plan states that with the introduction of the EU Birds Directive (79/409/EEC) and the EU Habitats Directive (43/92/EEC) came the obligation to establish the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU. The aim of both directives is to maintain and, where necessary, restore the favorable conservation status of natural habitats and species across Europe, and in this way to contribute to sustainable development and to promote the maintenance of Europe's biodiversity. The following policies are considered to be relevant to Dublin City Council:

GI23: "To protect flora, fauna and habitats, which have been identified by Articles 10 and 12 of Habitats Directive, Birds Directive, Wildlife Acts 1976–2012, the Flora (Protection) Order 2015 S.I No. 356 of 2015, European Communities (Birds and Natural Habitats) Regulations 2011 to 2015".

GI24: "To conserve and manage all Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas designated, or proposed to be designated, by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs".

### *SEVESO Directive Sites*

Appendix 12 of the plan sets out policies in relation to SEVESO III sites. This notes that Directive 2012/18/EU (known as the SEVESO III directive) was adopted taking into account changes in EU legislation on the classification of chemicals and the rights of citizens to access information in this regard. The directive was transposed into Irish legislation through SI No. 298 of the 2015 Chemicals

Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015. This directive came into effect on 1 June 2015, replacing the SEVESO III directive. There are 7 no. Upper Tier and 7 no. and Lower Tier Seveso establishments listed within the general vicinity of the MP2 Project.

SI28: *“To have regard to the provisions of the Major Accidents Directive (2012/18/EU), relating to the control of major accident hazards involving dangerous substances and its objectives are to prevent major accidents and limit the consequences of such accidents. Dublin City Council will have regard to the provisions of the directive and recommendations of the HSA in the assessment of all planning applications located on or impacted by such sites.”*

## **Other Relevant Local and National Plans**

### Dublin Port Masterplan 2012-2040

The Dublin Port Masterplan is a non-statutory plan, prepared and formally adopted by the Board of Dublin Port Company on 26th January 2012 and reviewed and updated in 2018. It sets out a vision for future operations at the Port by reference to developments in merchandise trade and key sectors of the economy. It also examines the existing land utilisation at Dublin Port and suggests some options for future development at the Port.

It presents plans for the future sustainable growth of the port including the reconfiguration of Ro-Ro facilities, the development of new cruise facilities and the provision of additional berthage facilities. Most relevant to the current proposal the application site is situated within Area C: Unified Ro-Ro Ferry Terminal and Area D: Container Terminal. The identified infrastructure development option for Area C: Unified Ro-Ro Ferry Terminal is: *“To create a Unified Ferry Terminal which would incorporate the existing Terminals 1, 2 and 5”*. In doing this:

- Existing internal roadways would be eliminated and existing buildings would be removed to create an additional three hectares of usable terminal area.
- A new single set of in-gates would be provided north of the existing terminal areas accessed from the new Promenade Road Extension to be built as part of the project to redevelop the Port's internal road network.
- A new jetty would be built at the eastern end of the Port to provide a fifth Ro-Ro berth
- A new ferry terminal building would be provided to the north overlooking the Tolka Estuary.
- In developing the new Unified Ferry Terminal, necessary State facilities would be provided for border controls by a range of State agencies”.

In relation to Area C: Unified Ro-Ro Ferry Terminal, the identified infrastructure development options is to provide for a considerable expansion of the already existing container terminal both in terms of berthage and, more particularly, storage land for the transit storage of imported and exported containers from Lo-Lo container ships. The option includes:

- The removal of existing buildings on the terminal to provide additional transit storage capacity for containers
- The cessation of an existing empty container depot operation
- The infill of Oil Berth #4
- The reconstruction of Oil Berth #3 to facilitate its reuse as a container berth as when it is no longer required for petroleum imports
- The extension of the existing river berth (Berth 50A)
- The development of a nearby 2.8 hectare yard overlooking the Tolka Estuary as a back area for the transit storage of containers

## **Environmental Impact Assessment Report**

### Requirement of an Environmental Impact Assessment Report

A full Environmental Impact Assessment Report accompanies the subject application. The subject development falls within Section (e) of Annex II of the Directive 2014/52/EU (the EIA Directive) which relates to the *“Construction of roads, harbours and port installations, including fishing harbours (projects not included in Annex I)”*.

The applicant has set out that screening, in respect of the MP2 Project, was undertaken and it was determined that the thresholds set out in the EIA Directive, and applicable Irish Regulations, were exceeded, and therefore an EIA would be required to be undertaken by the relevant competent authorities. Directive 2014/52/EU includes a requirement for a developer to prepare and submit an Environmental Impact Assessment Report (EIAR), to the competent authority.

#### Assessment of EIAR & Requirements

The EIA Directive 2014/52/EU, (the Directive) and Section 172 of the Planning & Development Act 2000 (as amended) require that an assessment of environmental effects of a project are carried out by the competent authority –which in this instance is An Bord Pleanála. Article 5(1)(a) to (f) of the Directive sets out the matters to be addressed by the developer/applicant in the EIAR. At the very least the EIAR must contain the following;

- a) A description of the project comprising information on the site, design, size and any other relevant features of the project;
- b) A description of the likely significant effects of the project on the environment;
- c) A description of the features of the project and/or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;
- d) A description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment;
- e) A non-technical summary of the information referred to in points (a) to (d)
- f) Any additional information specified in Annex IV of the Directive/Schedule 6 to the 2001 Regulations, as amended, relevant to the specific characteristics of a particular project or type of project and to the environmental features likely to be affected.

The EIAR must also include a list of the experts who have contributed to its preparation. The 2011 Directive, as amended, specifies that the EIAR must include information that may reasonably be required for reaching a reasoned conclusion on the significant effects of the project on the environment, taking into account current knowledge and methods of assessment.

The EIAR has been reviewed with regard to the relevant legislation and guidance for Competent Authorities. The following comments relate to and are relevant to this review.

#### Scoping

Section 5 of the EIAR Non-Technical Summary sets out project the consultation and scoping carried out by the Applicant / Design Team, who met with An Bord Pleanála, as well as various Departments of Dublin City Council to identify the issues that are likely to be most important during the Environmental Impact Assessment. The applicant has stated that the scoping process directed what information should be contained in the EIAR and the most appropriate mechanisms to gather and assess that information to ensure that all potential impacts were adequately identified and appropriately mitigated, where necessary. This approach is deemed to be satisfactory based on the existing legislative requirements and to gain a comprehensive understanding of the environmental issues.

#### Content & Preparation – Issues arising

The EIAR was in accordance with, and to comprehensively address the issues listed in Sixth Schedule of the Regulations and the requirements of Directive EIA (2014/52/EU). The EIAR assessed the following issues within the context of the proposed development:

- Examination of Alternatives
- Risk of Major Accidents
- Biodiversity: Flora and Fauna
- Soils, Geology and Hydrogeology
- Water Quality and Flood Risk
- Noise and Vibration

- Material Asset: Traffic and Transportation
- Material Asset: Coastal Processes
- Archaeology and Cultural Heritage
- Landscape and Visual Impacts
- Population & Human Health
- Waste
- Cumulative Effects

#### Layout

The EIAR is laid out in three volumes; the non-technical summary, the report, the supporting appendices. The introductory chapters establish the context of development and describe the proposal in detail, including the rationale for the development as well as the alternatives considered.

#### Content of Chapters and Assessment

##### Chapters 1- 3:

These introductory chapters provide the background information to the existing environment within the development site and within the surrounding area. A detailed description of the development is provided and outlines each element of the proposal. Further to this, the background and rationale for the project have been set out which details the growing demands upon the port, both in relation to cargo and passenger transit. The information provided by the applicant in these initial chapters is considered adequate.

##### Chapter 4 - Alternatives considered:

With regard to the consideration of alternatives to the proposed development, the EIAR states that the

*“The MP2 Project is a key element of the infrastructural development of Dublin Port which is being developed in accordance with the Dublin Port Company’s Masterplan to increase its capacity to 77.2m gross tonnes by 2040. The MP2 Project aligns with the Masterplan’s fundamental approach of maximising the utilisation of Dublin Port’s brownfield lands rather than seeking to build new additional Port facilities at a greenfield location to deliver this increased capacity”*

Alternatives were considered at both strategic and project levels. In regard the strategic level the alternatives considered included

- Option 1: No Port Expansion (This option is stated as representing the strategic ‘do-nothing’ scenario)
- Option 2: Optimise Main Port Lands (Proposed Development):
- Option 3: Optimise Main Port Lands and Increase Port Lands (this option includes an expansion eastwards into Dublin Bay previously refused ABP Ref. PL 29N.PA0007):

The potential strategic options were assessed against a technical requirement of achieving expansion in throughput of the port of 77.2m gross tonnes by 2040. It was determined that only those potential options involving optimising the main port lands and increasing port lands would be capable of delivering the required capacity to meet growth projection.

The selected strategic alternative (Option 2), incorporates an MP2 Project which implements the reviewed Masterplan’s fundamental approach of providing capacity in Dublin Port for the 77.2 million gross tonnes projected by 2040 by maximising the utilisation of Dublin Port’s brownfield lands and new additional inland Port facilities, rather than seeking to expand eastwards into Dublin Bay.

In relation to the Project Level Alternative Options assessment, the submitted EIAR sets out the design progression and alternative considerations for each element of the proposed development, including a ‘do nothing scenario’. The process for selection of the preferred option was described in detail and justified. This approach is considered to be satisfactory.

#### Chapter 6- Risk of Major Accidents

Chapter 6 of the EIAR describes the assessment undertaken of the potential individual and societal risk presented to the MP2 Project. In light of the scope of the application and the nature of the activities that will take place upon the application site and the nature of the surrounding environment, the applicant has set out the most significant risks of major accidents and disasters are associated with the proposed development. The assessment includes the 10 COMAH establishments which are located within Dublin Port as well as other, non-COMAH direct and indirect major accident and disaster risks.

The applicant has set out an assessment of the proposed development in relation to the proposed development compliance with Health and Safety Authority's (HSA) criteria under its land-use planning guidelines. It is also noted that application was referred to the HSA, however this response has not been reviewed by the Planning Officers of Dublin City Council.

The applicant has concluded that from a COMAH perspective, the potential direct and indirect major accident and disaster risks arising from the proposed development would satisfy the HSA's COMAH land use planning guidance. It has also been concluded that other, non-COMAH direct and indirect major accident and disaster risks arising from the proposal are not significantly different from the current risks within the port.

Having regard to the location of the site within Dublin Port, the proposed uses and the overall site context it is considered that the assessment of the likely significant impacts is reasonable and no significant adverse impacts are anticipated. As set out in the report above the response and input of the Health and Safety Authority would be key in determining the adequacy of and conclusions reached within Chapter 6 of the subject EIAR.

#### Chapter 7 – Biodiversity, Flora, and Fauna

A biodiversity appraisal of the direct and indirect significant effects of construction and operation of the MP2 Project on biodiversity has been completed. It comprises a number of ecological assessments on different specialist subject areas of ecology and has been written by a number of experts.

It contains assessments of:

- Terrestrial Biodiversity
- Benthic Biodiversity and Fisheries
- Marine Mammals
- Avian Biodiversity
- Designated Sites (other than European sites)

The contents and recommendation contained within Chapter 7 of the submitted EIAR is currently under review by the Parks and Landscapes Services Division of Dublin City Council and will be forwarded to An Bord Pleanála in due course.

#### Chapter 8 – Soil, Geology and Hydrogeology

The existing soil, geological and groundwater environment under and around the proposed development site was reviewed by means of a desk study, field measurements and a review of several ground investigations. The site is characterised as deposits of beach sand, river deposits, and gravels and clays from glaciers, which overlie a locally important limestone aquifer. The closest sensitive feature to the site is the South Dublin Bay Special Area of Conservation (SAC) and Special Protection Area (SPA).

The assessment of the likely effects identified that a number of activities associated with the construction and operation of the development which has the potential to have an effect on the geological and groundwater environment and relate to the presence of contaminated soils on-site and the impacts on-site workers, South Dublin Bay. It has been concluded that the proposed development will not have any substantial, negative impacts on the soils, geology, and hydrogeology of the area. It is further noted the submitted EIAR sets out that the sampling and analysis of marine sediments to be dredged have been assessed and deemed to be uncontaminated.

#### Chapter 9- Water Quality and Flood Risk Assessment

The applicant has completed an assessment of water quality and flood risk during the construction and operational stages of the proposed development.

*Water Quality:*

The applicant has set out that the water quality within Dublin Port and Dublin Bay was determined using National monitoring and data collected as part of the Alexandra Basin Redevelopment (ABR) Project.

The likelihood of significant negative impacts on water quality both during construction and operational stages has been assessed and mitigation measures for both stages have been recommended. The assessment sets out that provided the construction and operational phases are implemented, the impact of the proposed development would be imperceptible on the water quality of the receiving waters.

*Flood Risk:*

The submitted assessment details that a significant portion of the application site is located within the Flood Zones A & B with the remaining areas in Flood Zone C.



It is noted that all of the uses within the proposed development can be considered as 'Water-compatible development'. This type of development is considered appropriate in all flood zones, and therefore a Justification Test is not required.

The submitted report also includes an assessment of the change in wave climate resulting from the proposed port marine works, which was undertaken to determine any potential flooding impact on the landside port and adjoining receptors due to the development. The applicant has stated that the potential impact was negligible. Mitigation measures have been proposed to prevent vehicles and people remaining in the areas if an extreme tidal event is predicted. Whilst there will be no damage to the majority of the site if a flood were to occur, mitigation measures have been proposed for the existing terminal building.

It is noted that the current application has been reviewed the Dublin City Council's Drainage Division who have not raised any objection to the proposed development, subject to conditions being imposed.

#### Chapter 10 – Air Quality and Climate

The submitted EIAR sets out that baseline environment in terms of air quality, which has been determined from the data from established EPA monitoring Zones as well as Dublin Port Corporation ambient air quality monitoring tests that are carried out within the environs of the port.

Results of the baseline monitoring indicate that recent levels in the Greater Dublin Area are well below the statutory limits for the protection of human health and also below the WHO guidelines for the protection of human health. The EIAR does, however, acknowledge that the monitoring undertaken by DPC within the Port footprint show levels that are higher than the Greater Dublin Area average and, in some cases, levels exceed both the statutory limits and the WHO guidelines.

The report identifies standard mitigation measures that will be put in place to minimise air quality effects. It further notes in relation to climatic impacts the increase in carbon dioxide as a result of the proposed development is not considered significant. Based on the information submitted, the issue of air quality and climate consideration appears to have been adequately addressed by the applicant and no significant adverse effect is likely to arise as a result of the proposed development. It is also noted that site-specific recommendations received from the Air Quality Monitoring and Noise Control Unit of Dublin City Council.

#### Chapter 11 - Noise and Vibration

The submitted EIAR sets out the likely significant effects from both the construction and operational phases of the development. In relation to construction, the report identifies that there is potential for noise impacts from the use of plant and equipment, construction traffic and vibration impacts from certain construction phase activities (e.g. piling). The assessment of the operational phase noise includes an assessment of the noise impact from new plant/equipment as well as the impact assessment of road traffic changes in the vicinity of the port as a result of the proposed development.

It has been set out that the monitoring of noise and vibration monitoring will be carried out during both construction and operational phases as well as implementing noise and vibration abatement measures. The Planning Authority considers the EIAR adequately addresses the issues in relation to noise and vibrations. It is also noted that site-specific recommendations received from the Air Quality Monitoring and Noise Control Unit of Dublin City Council.

#### Chapter 12 Material Assets - Coastal Processes

Chapter 12 of the submitted EIAR assesses the potential impact of the proposed development on the coastal processes in the Dublin Port and Dublin Bay areas, including the tidal regime and the inshore wave climate. The applicant has set out that the current and future coastal processes were assessed using a program of computational modeling. Mitigation measures for both construction and operational phases have been recommended, which if implemented are not likely to have significant effects on coastal processes, flooding or make a significant change to the existing morphology

#### Chapter 13 Material Assets - Traffic and Transportation

The Roads and Traffic Planning Division has reviewed Section 13 of the EIAR which relates to the traffic impact of the proposed development. Chapter 3 of the EIAR also relates to the Construction of the proposed development and was also reviewed.

#### Access Arrangements

Access to the proposed development will be along with the existing road network in the Port. Proposed amendments to the internal road network to accommodate the new departure areas for HGV's and passengers will be located at the end of Promenade Road where segregation of traffic into several lanes will occur. The proposed amendments to the departures and arrivals check-ins will occur at the end of the Promenade Road Extension where the seven departure lanes will be separated into different lane designations. In order to facilitate infrastructure for departures and public access to Terminal 1 the full width available in this area from the edge of the State Services yard to the west to the edge of the greenway to the east is required. This will prevent installation of the four

northbound arrival lanes as consented under the Internal Roads Project with traffic diverted through the State Services Yard.

HGV check-in will be facilitated at the proposed six-lane HGV check-in facility at Alexandra Road and the proposed dual use eight-lane check-in facility towards the North East corner of the site. The queue lengths have been estimated based on target check-in times to ensure adequate space is available in advance of the check-in booths to prevent pre-check-in HGV queues from impacting on the public access to the Terminal building or light vehicle access to the dual-use check-in booths. The proposed check-in areas include new double-sided check-in booths with a canopy provided above for cover. It is proposed to provide three new booths to service the six dedicated HGV check-in lanes and an additional four booths to service the eight dual-use lanes.

A number of pedestrian walkways and an underpass are proposed to bring passengers to Berth 51 and 52 and to the existing Terminal building.

#### Construction Compounds

To facilitate construction works, 5 no. temporary construction compounds have been indicated to be provided over the various phases of development. Separate compounds will be used for different phases of the works. The compounds have been sized to accommodate welfare facilities, site offices and parking, construction plant storage, and materials storage. Each compound is located in or immediately adjacent to the relevant works phase.

#### *Phase L1 – Northern Access Road*

This phase will take approximately 6 months to complete, commencing in Q1 2022. These works include the installation of underground services and drawings and the construction of the new access routes to the north side of the site to tie in with the internal road network. The site compound for this construction phase will be located on the north-eastern end of the site (near the viewing point), along the Alexandra Road Extension. This area is currently being used to store shipping containers for Seatruck Ferries.

#### *Phase L2 – Eastern Access Road*

This phase of development will take approximately 6 months to complete, commencing in Q1 2027. These works will take place after the filling of the basin occurs (as permitted under 29N.PA0034). The extent of works proposed during these phases includes installation of underground services and drainage, the construction of the new access routes to the east side of the site as well as construction of an at-grade car park with designated spaces and bus/car set down area. The pedestrian underpass will also be constructed. The site compound for this phase of development will be located on the outer most eastern side of the Port on the Alexandra Road extension. This area is currently being used to store shipping containers for Seatruck Ferries.

#### *Phase L3 – Unified Ferry Terminal Yard*

This phase of development will take approximately 12 months to complete, commencing in Q3 of 2027. Works to be carried out in this phase include the installation of footpaths in areas where buildings have been demolished, installation of road markings, connection to the internal road networks as well as upgrade works to the existing Terminal 1 building. The site compound for this phase of development will be where the compound for Phase L1 is located.

#### *Phase L4 – Heritage Installation*

The site compound for Phase L4 will be located in the south-eastern corner of the site, at the end of the Alexandra Road extension. These works, which will take approximately 9 months to complete, will commence in Q3 2031 and will comprise of the construction of the heritage zone incorporating the masonry blocks recovered during earlier construction phases in the Port and the installation of the heritage structures.

In tandem with the works to land as detailed above (Phases L1-L4), a number of subsequent works (Phases M1-M6) will occur.

- Phase M1 (Berth 52) will see works commence at the same time as Phase L1 in Q1 2022 and will comprise of works in and out of the water such as the construction of steel pile combi-



walls and cellular sheet pile walls. These works will take approximately 33 months to complete. The site compound for this phase will be shared with that detailed for Phase L2.

- Phase M2 (Berth 53) will commence in Q1 2025 after Phase M1 is completed. The development constructed under Phase M1 will facilitate construction access to Berth 53. The site compound for this phase of development will also be as detailed for phase L2 as all the works are located in the same area of the port. Works in this phase, which will take approximately 24 months to complete, will take place in and out of the water and include works such as the installation of linkspan structure, dredging of the berth pocket and installation to access structure to the upper-tier linkspan.
- Phase M3(Channel Widening Works) will commence in Q1 2027 and will take place after Phase L1 is complete. As these works are taking place in the water, a separate site compound has not been identified.
- Phase M4 (Jetty Road) will commence in Q1 2027 when the channel widening works in Phase M3 are completed. This phase will take approximately 12 months to complete, commencing in Q1 2029 and utilising a site compound to the south of Tolka Quay Road in an area used by Dublin Ferryport Terminals.
- Phase M5 (Oil Berth 3) will commenced in Q1 2030 and last approximately 12 months. This phase includes works in and out of the water and will share the site compound designated for Phase M4.
- Phase M6 (Berth 50A) will commence after Phase M5 is completed and will last approximately 15 months, commencing in Q1 2031. Works will occur in and out of the water during the phase and the site compound will be located to the south of the Phase M4 and M5 site compound in the DFT terminal area.

#### Construction Traffic

A draft Construction Traffic Construction Management Plan has been submitted in Appendix 19-1 of the EIAR (Part 3). It is stated that a Traffic Management Coordinator will oversee and maintain all traffic management on the site. Construction traffic will arrive and depart the port via the national road network. Within the Dublin Port Estate, traffic will be routed through the existing road network to reach the proposed MP2 Project site boundary. Traffic within the proposed site will be diverted in a phased manner to ensure the existing facilities at Terminal 1 and Terminal 2 remain operational with minimal impact. It is noted that the peak HGV traffic volume will occur Q3 2030. There will be average daily traffic over this period of 57 HGV movements per day, based on a 5-day working week. The peak week within the proposed construction stage will be Q4 2030 where on average there will be 81 HGV movements per day. This would incorporate a peak of 17 HGV movements (in and out) per hour between 7 am and 8 am.

#### Mobility Management Plan

An outline MMP has been included in Appendix 19-12 of the EIAR (Part 3). The MMP has been prepared to set out the type of measures which could be adopted by Dublin Port Company (DPC), in liaison with the operators within the MP2 Project, to ensure sustainable transport enabling schemes are available to staff and visitors of the MP2 Project. In the event of a grant of permission, it is stated that the DPC will liaise with the other operators on the site to provide an MMP for the scheme once complete and operational.

#### Traffic Impact Assessment

The TIA included within Chapter 13 of the EIAR looked at 2026,2031 and 2040 as the key assessment years; 2026 reflects about two thirds of the construction works for the MP2 Project being completed; 2031 reflects the substantial completion of the MP2 Project construction works; 2040 is the end of the Dublin Port Masterplan 2040 (reviewed 2018). The TIA also reviewed existing and permitted commercial/residential developments in the surrounding area, including permitted and proposed infrastructure improvements. It was concluded that these schemes will not be car-based, and have already been incorporated into the assessment by use of the robustly high level of traffic growth rates applied to the non-Port traffic flows.

Detailed traffic modeling has been carried out on impact of the proposed development on the internal and external road networks. The modeling results demonstrate that the accesses and majority of the permitted internal road network within Dublin Port have sufficient capacity available to deal with the peak traffic flows even at the end of the Masterplan in 2040. This occurs even with the uplift in Dublin Port Estate traffic from 2.5% per annum to 3.3% per annum, to which the MP2 Project contributes.

The TIA also notes that the proposed development will not impact the potential extension of the Luas as currently included in NTAs Transport Strategy for the Greater Dublin Area for 2016-2035.

Overall, the TIA concludes that existing, permitted and proposed road network and transportation measures will accommodate the trips generated by the MP2 Project. It states that increased road capacity will be provided on the external road network by the closure of the Port Estate accesses along East Wall Road, and the delivery of the Southern Port Access Road (SPAR) will provide further capacity benefits along East Wall Road. It also notes that the Dublin Port Tunnel and Toll Plaza will have sufficient capacity at 2040 when the MP2 Project is complete and operational.

The Transportation Planning Division is satisfied with the information submitted as part of the EIAR and with the principle of the proposed development overall.

#### Chapter 14 Cultural Heritage (Including Industrial and Archaeological)

##### *Industrial:*

In relation to the Industrial Heritage, the submitted EIAR outlines that the principal cultural heritage feature within the application site is the Eastern Breakwater of Alexandra Basin. The report sets out that the breakwater, which was designed by the Port Engineer Bindon Blood Stoney's and marked the original entrance to the deepwater basin of the Port. The heritage importance of the breakwater has been detailed within the EIAR, which states that the design "*earned Bindon Blood Stoney a global reputation and is widely regarded as an engineering marvel for its day.*"

As part of the current application, the Pier Head of the Eastern Breakwater will be removed. The application has been reviewed by the Planning Authority's Conservation Officer who has set out that while there are no architectural features of built heritage designated within the development area., *however, the Eastern Breakwater is of industrial heritage interest upon the Dublin City Industrial Heritage Record (DCIHR) 19-09-002*'. Furthermore, the submitted reports prepared by Southgate Associates have appraised The Terminus (Pier Head) of the Eastern Breakwater as being 'Nationally Significant' and the Lighthouse Lantern as 'Regionally Significant'.

Section 14.5.1 of the submitted EIAR sets out the Heritage Gain Proposals, which are proposed as part of the mitigation measures for the impact of the removal of the breakwater pierhead. It is proposed to extend a Greenway along the northern perimeter of the Port estate that will converge on the north side of the river at the eastern end of the Port operation. The end of the greenway will terminate in a publicly assessable "Heritage Zone". An "*Industrial Heritage Impact & Compensation Planning and Design Report*" prepared by MOLA.

The Planning Authority's Conservation Section has objected to the proposed deconstruction, removal and relocation of the historic 19<sup>th</sup> century Bindon Stoney Blood Pier is not supported and is not considered to accord with best conservation practice and conservation principles and would result in the loss of one of the last surviving significant features of maritime interest within the port area.

Section 14.5.1 of the submitted EIAR sets out the Heritage Gain proposals, which are put forward as proposed mitigation measures for the impact of the removal of the breakwater Pier Head. As part of this, it is proposed to extend the permitted greenway (consented under PI. Ref. 3084/16) further along the northern perimeter of the port estate, and would will terminate in a publicly assessable "Heritage Zone", which would incorporate materials from the Pier head as well as the former Breakwater Lighthouse, which was previously demolished, and stored by Dublin Port Company.

The Planning Authority recognises that the Dublin Port is required the facilitate modern commercial ships which are typified as large vessels with a deep draft, and suitable berthing facilities for mooring, loading, and unloading are required for such for vessels. Additionally, it is noted that the updated Dublin Port Masterplan focuses upon the optimisation of existing port lands, rather than the expansion eastwards, as previously proposed and ultimately refused by An Bord Pleanála (Reference No. 29N.PA0007).

It is considered that the history of the port of Dublin is that of a continually evolving infrastructure and the challenge in this instance is to manage change in such a way that allows for the retention of character and special interest. In this case the strategic importance of the port and its capacity to

continue to fulfil its role must be balanced against the demolition the existing Pier Head, which, as set out by both the applicant and the Council's Conservation Section has significant national heritage value although is not included within Dublin City Council's Record of Protected Structures.

It is clear that the pier headwall has significant heritage value and its loss, as currently proposed, is regrettable. That being said it is clear the existing port is spatially confined, and the updated Port Masterplan focuses upon the optimisation of the existing lands. It is considered that the extension to the permitted greenway and proposed heritage zone is considered to be a substantial mitigation and planning gain. Accordingly, on balance the proposed loss for the existing Pier Head is considered acceptable.

*South Wall, North Bull and Dublin Harbour:*

Notwithstanding the exclusion of the South Wall from the subject site, the Planning Authority's Conservation Section have raised concerns about the continued and likely impacts of increased scouring/dredging/water movements that will arise from the proposed development on the South Wall, a Protected Structure and Recorded Monument within a Conservation Area, which currently displays serious defects that include cracked stones, large continuous gaps along the edges of the wall at upper and lower levels, and obvious subsidence and dipping in particular on the northern side. It has been noted that there has been a continued deterioration in the condition of the South Wall in recent times, which has not been and concerns are raised that further significant may continue to negatively impact upon the south wall.

*Archaeological:*

The submitted EIAR was reviewed by Dublin City Council's Archaeology Section. The submitted assessment discusses the potential impact of the proposed development on both terrestrial and marine archaeological features and deposits. This document highlights the desk-based assessment, marine geophysical survey, site investigations (boreholes), detailed topographical survey, site inspections and underwater inspections undertaken to assess the nature of the archaeological resource within the subject site. The conclusion is reached that there are no recorded monuments within the subject site and no archaeological material (including shipwrecks) was located as a result of the listed surveys/investigations. As such, the suggested archaeological mitigation suggested in the EIAR is monitoring of terrestrial, intertidal/foreshore and seabed disturbances associated with the proposed development. This office concurs that an archaeological monitoring brief should be included as a condition with any grant of permission for the proposed development.

Chapter 15 – Landscape & Visual

A Landscape and Visual Impact Assessment (LVIA) of the proposed development during both the construction and operational stages of the development has been submitted as part of the subject application. It is noted that the LVIA also includes a cumulative assessment, which incorporates the development at Berth 49, which was consented under PI. Ref. 3176/19.

The submitted assessment concludes that during the construction stage, due to distance and the broad scale of the landscape within which the works are located, the impact will be negligible and, therefore, the significance of impacts during the construction stage will be minor. During the operational stage of the subject application, the applicant has stated that the development will be fully read in the context of the existing port-related features at the site and therefore would not negatively impact upon surrounding development.

Based upon the submitted the Landscape and Visual Impact Assessment, the planning authority would concur with the findings of the LVIA that the proposed development would have a negligible change in the existing industrial character of the Port. That being said it is noted that concerns have been raised by the Planning Authority's Conservation Section, in regard to proposed Berth 53, which would be a part single-story/ part two-story structure that would be located approx. 6.2 meters above the high watermark, at its highest.

While it is considered that the proposed development would result in a noticeable change in the receiving environment, particularly when viewed from the south wall of Dublin Port, it is considered that the development would not result in significant negative landscape and visual effects, either individually or cumulatively.

### Chapter 16 – Population and Human Health

The population and health chapter of the EIAR assessed the negative health impacts such as disease, accidents, and risk as a result of the proposed development, along with wider health determinants (such as employment, and relating income generation) which contribute to good health and wellbeing. A baseline assessment was undertaken regarding the existing population profile within the wider area. The report concludes that the overall effects on population and health would be positive as the ranging beneficial changes to socio-economic factors and their impact on health and wellbeing outweigh the negligible adverse changes to environmental determinants.

### Chapter 17 –Waste

The submitted EIAR assesses the likely significant environmental impacts of the waste generation as a result of the proposed development, both in the construction and operation phases.

#### Construction:

In terms of the overall impact of the construction stage, it has been stated that a Construction and Environmental Management Plan and a Construction and Development Waste Management Plan would seek to minimise the waste generation of the development.

#### Operation:

The EIAR sets out that the development may result in a minor increase in waste arisings due to anticipated increased usage of the unified passenger terminal. It has been set out that there will be no discernible effects to waste management once operational due to recycling and reuse policies, procedures and the implementation of the Waste Management Plan.

The report concludes that the effects of the construction and operational phases in relation to waste management is deemed as neutral. The contents and recommendations contained within Chapter 17 of the submitted EIAR is currently under review by the Waste Management Division of Dublin City Council and will be forwarded to An Bord Pleanala in due course.

### Chapter 18– Cumulative Effects and Environmental Interactions

This details that all environmental topics are interlinked to a degree such that interrelationships exist. It is concluded that the comprehensive assessments undertaken as part of this EIAR have revealed that the proposal will not result in any significant adverse effects on the environment. Mitigation measures are proposed and outlined within individual EIAR chapters to ensure that any potential adverse impacts that may arise as result of the proposed development are minimised.

### **Appropriate Assessment**

This section of the report considers the likely significant effects of the proposal on European sites with each of the potential significant effects assessed in respect of each of the Natura 2000 sites considered to be at risk and the significance of the same. The assessment is based on the submitted Screening for Appropriate Assessment and Natura Impact Statement (NIS), prepared by RPS Planning and Environmental Consultants.

The applicant's screening assessment has considered the potential impact upon designated sites within the vicinity of the proposed development which is currently under review by the Parks and Landscapes Services Division of Dublin City Council, who will comment upon likely impact upon the Natura 2000 Habitats within vicinity of the site as well as the acceptability of the mitigation measure proposed, which will be forwarded to An Bord Pleanala in due course.

### **Planning Assessment**

In general terms, the Planning Authority has assessed the full submission including the drawings, various reports, and impact statements and is generally satisfied and in agreement with their content and conclusions. Therefore, it is not intended as part of this report to address and reiterate every matter pertaining to the application. The current proposal to increase capacity at the Port complies with the stated aims of the City Development Plan as well as the zoning objective, as it provides for port-related facilities and activities which are permitted uses. The Planning Authority also recognises that the current proposal which will facilitate an increase in the capacity in the port will ultimately enhance the economic life of the city which is a core aim of the City Development Plan. It is further noted that the proposed development will minimise the extent of any physical impacts on the

character and amenities of the coastal zone/bay and will also allow for greater physical connectivity with the city and the reuse of existing resources.

Principle:

As set out above, under the current Dublin City Development Plan (2016-22) the lands that form part of the development, as well as those adjoining it, are largely zoned Z7 Industry and Employment 'to provide for the protection and creation of industrial uses and facilitate opportunities for employment creation' with a small area located within the Z9 Amenity/Open Space Lands/Green Network zoning objective which seeks to "preserve, provide and improve recreational amenity and open space and green networks".

Port-related industries and facilities are permitted in principle within the Z7 land-use zoning objective. Section 14.8.7 of the plan notes that the majority of lands with this zoning are situated in Dublin Port, with the primary uses being those which can result in a standard of amenity which would not be acceptable in other areas, and can result in disamenity which needs to be managed through the planning process to safeguard adjoining residential amenities.

The Z9 (Amenity/Open Space Lands/Green Network) zoned lands are located along the outer perimeter of the Port, providing a green buffer along the northern and eastern site boundary. The City Development Plan permits Open space uses in principle on Z7 lands while Community facilities and Cultural/recreational buildings and uses are listed as being Open for Consideration.

While the port-related development and proposed "Heritage Zone" would be confined to Z7 zoned lands, it is noted that the red line boundary includes a portion of Z9 zoned land located along the eastern boundary of the site, within which development related to pedestrian and cycling greenway is proposed.

The proposed development is considered to comply with the zoning provisions of the Dublin City Development Plan 2016-2022.

Cruise ships and Cruise tourism:

In relation to cruise ships and cruise tourism, it is noted that in response to the previous Strategic Infrastructure Development Application 29N.PA0034 concerns were raised by Dublin City Council with regards the potential for development to prejudice the future development of a cruise terminal building.

It is noted that Section 16.21 of the City Development Plan relates to Dublin Port and supports plans to make Dublin a 'home port' for cruise tourism, with complementary cruise tourism facilities in the port and wider city/region. In this regard, the applicant has set out that landside provision for cruise ships will be delivered within the adjoining Alexandra Basin and will complement the development permitted as part of the Alexandra Basin Redevelopment Project (Board Ref. PL29N.PA0034). In the meantime, it has been stated that cruise vessels are being accommodated on available berths on demand. Accordingly, it is considered that the current development would not prejudice the ongoing provision for and development of cruise ship tourism and is therefore considered to be acceptable in this instance.

Conservation and Built Industrial Heritage:

As set out in the report above, the current application would propose the removal of the Pier Head of the former Victorian Eastern Breakwater, which is not identified as a protected structure, nor is it located within a conservation area. The application has been reviewed by the Planning Authority's Conservation Officer who has set out that Pier Head is of significant industrial heritage value, is included upon the Dublin City Industrial Heritage Record (DCIHR) 19-09-002 and therefore serious concerns are raised to this element of the proposed development.

Section 14.5.1 of the submitted EIAR sets out the Heritage Gain proposals, which are put forward as proposed mitigation measures for the impact of the removal of the breakwater Pier Head. As part of this, it is proposed to extend the permitted greenway (consented under Pl. Ref. 3084/16) further along the northern perimeter of the port estate, and would terminate in a publicly assessable "Heritage Zone", which would incorporate materials from the Pier head as well as the former Breakwater Lighthouse, which was previously demolished, and stored by Dublin Port Company.

The Planning Authority recognises that Dublin Port is required to facilitate modern commercial ships which are typified as large vessels with a deep draft, and suitable berthing facilities for mooring, loading and unloading are required for such vessels. Additionally, it is noted that the updated Dublin Port Masterplan focuses upon the optimisation of existing port lands, rather than the expansion eastward which would likely have a detrimental impact on the adjoining Natura 2000 sites, as previously proposed and ultimately refused by An Bord Pleanála (Reference No. 29N.PA0007).

It is considered that the history of the port of Dublin is that of a continually evolving infrastructure and the challenge in this instance is to manage change in such a way that allows for the retention of character and special interest. In this case the strategic importance of the port and its capacity to continue to fulfil its role must be balanced against the demolition of the existing Pier Head, which, as set out by both the applicant and the Council's Conservation Section has significant national heritage value although is not included upon Dublin City Council's Record of Protected Structures.

It is clear that the pier headwall has significant heritage value and its loss, as currently proposed is regrettable. That being said it is clear the existing port is spatially confined, and the updated Port Masterplan focuses upon the optimisation of the existing lands. It is also considered that the extension to the permitted greenway and proposed heritage zone is considered to be a substantial mitigation and planning gain. Accordingly, on balance, the proposed loss for the existing Pier Head is considered acceptable and worthy of support.

It should be noted however that the proposed plans illustrate the installation of a gate along the route which would limit access to the western portion of the greenway and the heritage zone. It has been recommended as part of the mitigation within Chapter 7 of the Submitted EIAR that the gate be used to control access during periods of low spring tides to avoid disturbance of feeding grounds within the Tolka Estuary. It is requested that the applicant, by way of condition, be required to clarify the management of this area and when access would be restricted to this portion of the greenway.

#### *Deterioration of the South Wall of Dublin Harbour:*

The Planning Authority's Conservation Section have raised concerns about the continued and likely impacts of increased scouring/dredging/water movements that will arise from the proposed development on the South Wall, a Protected Structure and Recorded Monument within a Conservation Area, which currently displays serious defects. It has been noted that there has been a continued deterioration in the condition of the South Wall in recent times. It is therefore recommended that the applicant be requested to address the concerns of Dublin City Council's Conservation Section in relation to the negative impact upon the south wall of the port.

#### **Impact on amenity**

The proposed new elements to be constructed on lands within the Dublin Port. The proposed infrastructure-related development would be carried out upon Z7 zoned lands, the City Development Plan 2022 recognises that the primary uses in Z7 lands are those that can result in a standard of amenity that would not be acceptable Land-use Zonings in other areas.

While subject application would essentially result in an intensification of existing port operations some of the proposed elements, in particular, the proposed Berth 53 would be substantial and visible from outside the port, particularly from the South Wall of the port. It is acknowledged however that the development has been designed specifically to meet the requirements of the port and would be located on the established port lands. The planning authority would concur with the findings of the LVIA that the development would have a negligible impact on the existing industrial character of the port lands. Accordingly, no objection is raised to this element of the proposed development.

#### Roads and Traffic

The Roads and Traffic Planning Division has assessed the proposal and while supportive of the proposed development there are aspects of the proposal that require further agreement with Roads and Traffic Department, specifically the timing of the closures of the accesses and traffic management measures from East Wall Road. Accordingly, it is recommended that a condition be attached, should permission be granted, requiring the timing of road closures to be agreed with Dublin City Council.

#### **Community Gain**

Section 37 G (7) of the Planning and Development (Strategic Infrastructure) Act 2006 stipulates in the event that planning permission is granted for strategic infrastructure development, the Board can make provision for a community gain arising out of the development. In this regard, Dublin Port Company is proposing the following community gain:

- a) Dublin Port Company propose to allocate a sum of 50% of the site value of the Polefield (or sales price achieved) at the date of the grant of permission to a maximum contribution of €1m towards the provision and operation of a City Farm on lands owned by Dublin City Council adjacent to the Port – either in Fairview Park or on Alfie Byrne Road. These lands will be of sufficient scale to support a viable City Farm Project.
- b) Secondly, Dublin Port Company propose to allocate a sum of €1,000,000 to be invested for the enhancement and support of education provision for St Josephs Co-Ed Primary School
- c) All of these sums will be in addition to the current community-based initiatives and special projects that DPC is undertaking.

Dublin City Council welcomes these proposals and it is considered that the proposals will constitute significant community gain, not just for the immediate locality, but to the wider community in Dublin, delivering benefits from environmental, tourism and social inclusion perspectives.

### **Conclusion**

It is the opinion of the City Council that the proposed development which aims to provide increased capacity at the Port by increasing the depth and navigability of the access channel and providing more multi-purpose berths is in accordance with the policies and objectives of the Dublin City Development Plan 2016-2022 and other relevant plans. Furthermore, the intention to deliver the project by redeveloping existing infrastructure and by increasing the productivity of existing port lands and without any major reclamation works (in contrast to previous proposals) is welcomed by the City Council.

It is acknowledged that the proposed development would further support the long term growth of Dublin Port, and would enable the port to keep pace with developments in shipping internationally where larger ships are becoming the industry norm. Accordingly, while it is noted that the proposed development is in accordance with the principles of the relevant policies and objectives of the City Council, there are a number of issues which the Planning Authority would like to be clarified or in the event of permission being granted would request to be conditioned to ensure that the development is carried out in accordance with the proper planning and sustainable development of the area. These issues have been highlighted in the main body of the report and are also indicated in the reports attached in the appendices. In particular it is noted that concerns have been raised by the Conservation Section in relation to the potential impacts upon of the development on the south wall of the port. The Planning Authority would also request that the recommendations of the EIAR and Natura Impact Assessment would be carried through in any grant of permission in order to safeguard the character and amenities of the River Channel, Dublin Bay and reduce any potential impacts on the site of the development and adjoining lands.

## **Appendix 1 Reports**

**A. Roads and Traffic Planning**

**B. Conservation**

**C. Air Quality Monitoring & Noise Control**

**D. Parks and Landscapes Services Division**

**E. Drainage Division**



## Roads and Traffic Planning

### Environmental Impact Assessment Report

An Environmental Impact Assessment Report (EIAR) is submitted in conjunction with the application. Section 13 of the EIAR relates to the traffic impact of the proposed development. Chapter 3 of the EIAR also relates to the Construction of the proposed development.

#### Access Arrangements

Access to the proposed development will be along the existing road network in the Port. Proposed amendments to the internal road network to accommodate the new departure areas for HGV's and passengers will be located at the end of Promenade Road where segregation of traffic into several lanes will occur. The proposed amendments to the departures and arrivals check ins will occur at the end of the Promenade Road Extension where the seven departure lanes will be separated into different lane designations. In order to facilitate infrastructure for departures and public access to Terminal 1 the full width available in this area from the edge of the State Services yard to the west to the edge of the greenway to the east, is required. This will prevent installation of the four northbound arrival lanes as consented under the Internal Roads Project with traffic diverted through the State Services Yard.

HGV check in will be facilitated at the proposed six lane HGV check-in facility at Alexandra Road and the proposed dual use eight lane check in facility towards the North East corner of the site. The queue lengths have been estimated based on target check in times to ensure adequate space is available in advance of the check-in booths to prevent pre-check in HGV queues from impacting on the public access to the Terminal building or light vehicle access to the dual use check in booths. The proposed check-in areas include new double-sided check-in booths with a canopy provided above for cover. It is proposed to provide three new booths to service the six dedicated HGV check in lanes and an additional four booths to service the eight dual use lanes.

A number of pedestrian walkways and an underpass are proposed to bring passengers to Berth 51 and 52 and to the existing Terminal building.

#### Construction Compounds

To facilitate construction works, 5 no. temporary construction compounds have been indicated to be provided over the various phases of development. Separate compounds will be used for different phases of the works. The compounds have been sized to accommodate welfare facilities, site offices and parking, construction plant storage, and materials storage. Each compound is located in or immediately adjacent to the relevant works phase.

##### *Phase L1 – Northern Access Road*

This phase will take approximately 6 months to complete, commencing in Q1 2022. These works include the installation of underground services and drawings and the construction of the new access routes to the north side of the site to tie in with the internal road network. The site compound for this construction phase will be located on the north-eastern end of the site (near the viewing point), along the Alexandra Road Extension. This area is currently being used to store shipping containers for Seatruck Ferries.

##### *Phase L2 – Eastern Access Road*

This phase of development will take approximately 6 months to complete, commencing in Q1 2027. These works will take place after the filling of the basin occurs (as permitted under 29N.PA0034). The extent of works proposed during this phases include installation of underground services and drainage, the construction of the new access routes to the east side of the site as well as construction of an at-grade car park with designated spaces and bus/car set down area. The pedestrian underpass will also be constructed. The site compound for this phase of development will be located on the outer most eastern side of the Port on the Alexandra Road extension. This area is currently being used to store shipping containers for Seatruck Ferries.

### *Phase L3 – Unified Ferry Terminal Yard*

This phase of development will take approximately 12 months to complete, commencing in Q3 of 2027. Works to be carried out in this phase include the installation of footpaths in areas where buildings have been demolished, installation of road markings, connection to the internal road networks as well as upgrade works to the existing Terminal 1 building. The site compound for this phase of development will be where the compound for Phase L1 is located.

### *Phase L4 – Heritage Installation*

The site compound for Phase L4 will be located in the south-eastern corner of the site, at the end of the Alexandra Road extension. These works, which will take approximately 9 months to complete, will commence in Q3 2031 and will comprise of the construction of the heritage zone incorporating the masonry blocks recovered during earlier construction phases in the Port and the installation of the heritage structures.

In tandem with the works to land as detailed above (Phases L1-L4), a number of subsequent works (Phases M1-M6) will occur.

- Phase M1 (Berth 52) will see works commence at the same time as Phase L1 in Q1 2022 and will comprise of works in and out of the water such as construction of steel pile combi-walls and cellular sheet pile walls. These works will take approximately 33 months to complete. The site compound for this phase will be shared with that detailed for Phase L2.
- Phase M2 (Berth 53) will commence in Q1 2025 after Phase M1 is completed. The development constructed under Phase M1 will facilitate construction access to Berth 53. The site compound for this phase of development will also be as detailed for phase L2 as all the works are located in the same area of the port. Works in this phase, which will take approximately 24 months to complete, will take place in and out of the water and include works such as installation of linkspan structure, dredging of the berth pocket and installation to access structure to the upper tier linkspan.
- Phase M3(Channel Widening Works) will commenced in Q1 2027 and will take place after Phase L1 is complete. As these works are taking place in the water, a separate site compound has not been identified.
- Phase M4 (Jetty Road) will commence in Q1 2027 when the channel widening works in Phase M3 are completed. This phase will take approximately 12 months to complete, commencing in Q1 2029 and utilising a site compound to the south of Tolka Quay Road in an area used by Dublin Ferryport Terminals.
- Phase M5 (Oil Berth 3) will commenced in Q1 2030 and last approximately 12 months. This phase includes works in and out of water and will share the site compound designated for Phase M4.
- Phase M6 (Berth 50A) will commence after Phase M5 is completed and will last approximately 15 months, commencing in Q1 2031. Works will occur in and out of the water during the phase and the site compound will be located to the south of the Phase M4 and M5 site compound in the DFT terminal area.

### Construction Traffic

A draft Construction Traffic Construction Management Plan has been submitted in Appendix 19-1 of the EIAR (Part 3). It is stated that a Traffic Management Coordinator will oversee and maintain all traffic management on the site. Construction traffic will arrive and depart the port via the national road network. Within the Dublin Port Estate, traffic will be routed through the existing road network to reach the proposed MP2 Project site boundary. Traffic within the proposed site will be diverted in a phased manner to ensure the existing facilities at Terminal 1 and Terminal 2 remain operational with minimal impact. It is noted that the peak HGV traffic volume will occur Q3 2030. There will be an average daily traffic over this period of 57 HGV movements per day, based on a 5-day working week. The peak week within the proposed construction stage will be Q4 2030 where on average there will be 81 HGV movements per day. This would incorporate a peak of 17 HGV movements (in and out) per hour between 7am and 8 am.

### Mobility Management Plan

An outline MMP has been included in Appendix 19-12 of the EIAR (Part 3). The MMP has been prepared to set out the type of measures which could be adopted by Dublin Port Company (DPC), in liaison with the operators within the MP2 Project, to ensure sustainable transport enabling schemes are available to staff and visitors of the MP2 Project. In the event of a grant of permission, it is stated that the DPC will liaise with the other operators on the site to provide a MMP for the scheme once complete and operational.

### Traffic Impact Assessment

The TIA included within Chapter 13 of the EIAR looked at 2026, 2031 and 2040 as the key assessment years; 2026 reflects about two thirds of the construction works for the MP2 Project being completed; 2031 reflects the substantial completion of the MP2 Project construction works; 2040 is the end of the Dublin Port Masterplan 2040 (reviewed 2018). The TIA also reviewed existing and permitted commercial/residential developments in the surrounding area, including permitted and proposed infrastructure improvements. It was concluded that these schemes will not be car based, and have already been incorporated into the assessment by use of the robustly high level of traffic growth rates applied to the non-Port traffic flows.

Detailed traffic modelling has been carried out on impact of the proposed development on the internal and external road networks. The modelling results demonstrate that the accesses and majority of the permitted internal road network within Dublin Port has sufficient capacity available to deal with the peak traffic flows even at the end of the Masterplan in 2040. This occurs even with the uplift in Dublin Port Estate traffic from 2.5% per annum to 3.3% per annum, to which the MP2 Project contributes. The TIA also notes that the proposed development will not impact on the potential extension of the Luas as currently included in NTAs Transport Strategy for the Greater Dublin Area for 2016-2035.

Overall, the TIA concludes that existing, permitted and proposed road network and transportation measures will accommodate the trips generated by the MP2 Project. It states that increased road capacity will be provided on the external road network by the closure of the Port Estate accesses along East Wall Road, and the delivery of the Southern Port Access Road (SPAR) will provide further capacity benefits along East Wall Road. It also notes that the Dublin Port Tunnel and Toll Plaza will have sufficient capacity at 2040 when the MP2 Project is complete and operational.

The Transportation Planning Division is satisfied with the information submitted as part of the EIAR and with the principle of the proposed development overall.

### **Recommendation:**

In the event of a grant of permission, it is recommended that the following conditions shall apply:

1. Prior to occupation of the proposed development, the applicant/developer shall submit a Mobility Management Plan for agreement with the Planning Authority. This shall identify specific measures aimed at encouraging sustainable modes of transport for staff and customers of Dublin Port.
2. Prior to commencement of development, and on appointment of a contractor, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise management measures and off-site disposal of construction/demolition waste.
3. The developer shall be obliged to comply with the requirements set out in the Code of Practice.
4. All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer. Work in the public road may only be carried out by Dublin City Council.

## Conservation Comments

### Introduction

We have reviewed the proposed works described in the documentation submitted in relation to the impacts on Architectural Heritage within the port itself and the wider city context. We have reviewed in particular the impacts of the proposed works on the remains of the historic Alexandra Basin, the remains of the Bindon Blood Stoney 19<sup>th</sup> century stone pier/breakwater (referred to as the Eastern Breakwater Pier Head adjacent to existing berth 50A).

We have also considered the likely impacts on the 18<sup>th</sup>/19<sup>th</sup> century South Wall and North Bull, notwithstanding they are located outside the subject site.

Paraic Fallon, Mary McDonald and Niamh Kiernan attended a consultation meeting with the applicants on the 29<sup>th</sup> March 2018 where the proposed works were described in outline.

### Policy Context

The lands within Dublin Port in the subject site are within Zone Z7 *'To provide for the protection and creation of industrial uses and facilitate opportunities for employment creation'*.

### Eastern Breakwater Pier Head adjacent to existing berth 50A

The Eastern Breakwater Pier Head, constructed 1858 - 1884 as part of Bindon Blood Stoney's Alexandra Deep Water Basin, is not a Protected Structure. However, it is recognised as one of the most important and innovative surviving remnants of the historic port, and is included in the Dublin City Industrial Heritage Record (DCIHR No. 19-09-002). The original lighthouse constructed c.1884 that was once located on the Pier Head is also included on the DCIHR No. 19-09-003. This Lighthouse was replaced c.1907, and demolished in the early 2000s – its lantern and bell were salvaged by Dublin Port.

### South Wall and North Wall

The South Wall and Bull Wall are both outside the subject site but are likely to be impacted by the proposed works such as scouring/dredging and intensification of water movements from large vessels and thus are referred to in our assessment. These sea walls form an intrinsic part as the visible boundary of the historic Dublin Harbour and were constructed in 1715-1795 and 1819 – 1824 respectively.

The South Wall is within a Conservation Area, and is a Protected Structure RPS Ref. No. 6798 *'Great South Wall (to lighthouse), Pigeon House Road/South Port, Dublin Bay, Dublin 4'*. The lighthouse at the east end of the South Wall is a Protected Structure RPS Ref. No. 7553 *'Poolbeg Lighthouse, Great South Wall, Ringsend, Dublin 4'*. The South Wall is also identified as being within Site of Archaeological Interest and is included in the RMP Ref. No. DU019-028 (Battery c.1793) and is included in the DCIHR Ref. No. 19-09-010.

The Bull Wall and Bull Bridge are within Zone Z9 *'to preserve, provide and improve recreational amenity and open space and green networks'*. The timber Bull Bridge and a number of reinforced concrete picnic and bathing shelters along the wall are included in the Record of Protected Structures RPS Ref. Nos. 1012 *Timber Bridge – Bull Island, Dublin 3* and 1013 *Bathing shelters and picnic shelters – Bull Wall/Bull Island, Dublin 3'*. The Bull Wall, also referred to as The Great North Wall is included in the DCIHR, Ref. No. 19-05-001.

### Historic Background and Significance

The EIAR Chapter 14 14.3.1 provides an historic account about the development of Dublin Bay.

### Bindon Blood Stoney Eastern Pier Head

As noted by MOLA, *'the Pier Head was the extreme Eastern point of the (North) Port lands, prior to the systematic reclamation which occurred to create the Port as we know it today. Its ground plane character was defined by an angled roundel formed in granite, The roundel (Fig.3), also housed a Lighthouse, variously referred to as the Breakwater (ie. the Alexandra) Lighthouse dating from 1904.*

*It replaced an earlier Lighthouse (Fig.5), presumed to date from the period of the construction of the Breakwater. The Breakwater Lighthouse was demolished in 2002.*

*The engineering of the Breakwater is attributed to Port Engineer Binden Blood Stoney, the innovative designer of the Alexandra Basin. Most of the historic remnants of the Pier Head are still substantially intact, albeit that reclamation has buried the full return of the terminus....'*

Whilst 4.1.2 of the Planning Report notes that there are '*no architectural features of built heritage designated within the development area. However, the Eastern Breakwater described and indicated in Figure 14-9 of Chapter 14, Volume 2 of the EIAR is of industrial heritage interest, Dublin City Industrial Heritage Record (DCIHR) 19-09-002*', Southgate and Associates have appraised The Terminus (Pier Head) of the Eastern Breakwater as being 'Nationally Significant' and the Lighthouse Lantern as 'Regionally Significant'.

Sir John Purser Griffith in his publication 'The Port of Dublin – An Historical Sketch' (1915) listed Alexandra Basin extension and reclaimed lands north of it, and the Deep Water Jetty (Alexandra Wharf) north side of Alexandra Basin among some of the most important works carried out between 1898-1914, under the powers of the Act of 1902 when additional powers were granted and funding raised for improvement of the port.

Bindon Blood Stoney's North Quay, Eastern Breakwater and Alexandra Deep Water Basin displayed innovative new construction techniques and execution using concrete. From the mid-eighteenth-century the vast majority of the quaysides in Ireland's ports were constructed with bonded rubble masonry faced with large cut facing stones. These walls were capped with large cut stone copings and secured with iron keys. This method was employed for the quays along the Liffey which were built in the late eighteenth and nineteenth centuries.

However, the costs of preparing quay walls below water could be prohibitive, and as early as 1863, the engineer of Dublin Port, Bindon Blood Stoney, had begun to evaluate the relative costs of both masonry and concrete for this purpose. Stoney had been hired by the Dublin Ballast Board as an Assistant for its Engineer and Inspector of Works, George Halpin, in January 1856.

His first task was as Resident Engineer for the completion of the new graving dock, and in 1859 he was promoted to Executive Engineer and given the authority to sign accounts. Halpin seems to have found it difficult to delegate all responsibility for the port to Stoney, and in 1861-62 a difference of opinion arose between the two men over Stoney's proposals for the future development of the docks and his proposed new method of constructing deep-water quays. Halpin retired in 1862, and Stoney was then appointed as the Board's chief engineer. Stoney remained in the post of Chief Engineer to the Ballast Board (reconstituted in 1869 as the Dublin Port and Docks Board) for just over thirty-six years.

Stoney undertook a series of tests which established that concrete was actually some 50 percent cheaper than stone, and he proposed to manufacture monolithic blocks of concrete, up to 350 tons in weight which were laid on the river bed as the foundations of new quay walls. These were made on a block wharf and then moved to their destination by means of specially designed floating shears. They were lowered into position on the river bed, which had been previously levelled by workmen using a special diving bell which Stoney devised for this purpose. The first block was lowered into position in 1871. 100-ton concrete blocks were used by James Barton in 1870 for the lower section of a quay wall at Greenore; however Stoney's scheme was novel in its execution. Stoney's method proved to be both expeditious and cheap and by 1882, over 2000ft (609.6m) of new quay wall, with a depth of 22ft (6.70m) had been laid by this means. While building the North Wall Extension, Stoney simultaneously created a new 70-acre basin which allowed ships of the largest class to dock. The method was used for the extension of the North Quay and the construction of the Alexandra Basin and for the foundations of the North Bull lighthouse. The resulting berths were independent of the tides, and deeper than any other port at the time.

Stoney described his method in a paper, '*On the construction of harbour and marine works with artificial blocks of large size*', delivered to the Institution of Civil Engineers in London in 1874, which gained him the Institution's Telford Medal and Premium for that year. There was considerable international interest when the British Association for the Advancement of Science (BAAS) met in Dublin in 1878, and an expedition visited the docks to inspect the technique. The docks are an enduring monument to Bindon Blood Stoney who won international fame for his

innovative work.

At the same time as the graving dock was being built, a retaining wall was constructed running eastwards across the estuary of the Tolka. Now superseded by walls and reclaimed land to its north, its line is that followed by Tolka Quay Road. The original timber jetties at the Alexandra Wharf deteriorated over the years and in 1921, the Port's Engineer-in-Chief Joseph Mallagh submitted proposals for their replacement by a masonry quay wall built to a system of his own design. It was a major innovation in harbour engineering and involved the construction of cassions of reinforced concrete, measuring 50ft long by 30ft wide and 42ft high, they were built on a slipway and then launched and floated into position. Once in place the cassion was filled with sand supplied by a concrete slab and the new quayside completed. Begun in 1922, the work was finished by 1931.

#### The Great South Wall and Poolbeg Lighthouse

As noted in the DCIHR, the South Bull Wall was constructed as part of a series of measures to improve the shipping channel into Dublin Port, and replaced an earlier series of timber piles, which had failed to fulfil the same purpose.

The wall was constructed in two sections: the first (1748-1755) ran from Ringsend eastwards to a point known as the Green Patch near Pigeon House Harbour, while the second (1761-1795) began at the site of the Poolbeg Lighthouse and continued westwards towards the shore to meet up with the earlier section. In all it measured some 3.5 miles in length and was one of the longest sea walls ever constructed. The construction methods consisted of two parallel granite walls, filled with rubble and paved over with granite flagstones. Granite blocks were transported across the bay from quarries at Dalkey and Dun Laoghaire and were originally skilfully interlocked without the need for mortar. The meandering form of the wall is a result of its following the natural sand bank and it includes a number of related structures, such as the slipway to its northwest flank and the Poolbeg Lighthouse at its easternmost tip (built in the 1760s to replace an earlier lightship on the site, and reputedly the first in the world to be entirely candle-powered).

Although it proved unsuccessful in improving shipping access to Dublin Port until the completion of the accompanying North Wall in 1824, the Great South Wall remains one of the major engineering and construction achievements of the eighteenth century. With the Poolbeg Lighthouse at its tip, it is one of the landmark features of Dublin as a city and the great technical skill involved in its construction is evident in the fine stonework still visible today. **The Poolbeg Lighthouse, Protected Structure RPS Ref. No. 7553, was designed by John Smyth and commenced in 1762 and completed in 1768, and was redesigned and rebuilt in 1820.** The wall, as a promenade and including the famous half-moon swimming club, is now a major social amenity.

#### The North Wall/Bull Wall

As noted in the DCIHR, the Great North Wall/Bull Wall represents the final element of one of the major engineering and construction achievements of the eighteenth- and early nineteenth-centuries in undertaking to improve the shipping channel into Dublin Port which began with the construction of the Great South Wall. Constructed between 1819 and 1824, the Bull Wall measures 2.7km in length and comprises a central section of ashlar granite wall with an opening between Bull Island and the shore spanned by a wooden bridge (built 1906, replacing an earlier bridge dating to 1819) while the eastern end, which is of granite rubble, is covered at high-water. The water drops below this section midway through the ebb tide so that for the latter half of each outgoing tide the water is forced between the two lighthouses (North Wall & Poolbeg) at the entrance to the port. Tidal scour as a result of the construction of the two walls, saw the force of the water cut a channel across the bar over time, deepening the previous depth of 6 feet to 16 feet at low water. The sand dislodged from the bar and was carried further out into the bay where it picked up by currents which then deposited it on the North Bull bank forming Bull Island. The purpose of the half tide wall and the Bull bridge is to act as safety valves to prevent damage to the wall from the pressure of full tide.

The North Bull Lighthouse at the tip of the Bull Island was erected in 1880. Reinforced concrete picnic and bathing shelters have been constructed along the length of the middle section of the wall with a statue called Our Lady, Star of the Sea (Réalt na Mara) erected in 1972 just before the half-tide wall. In addition to the engineering and technical significance of the wall, it is now a social amenity for the local area, further emphasised by the provision of the concrete bathing and picnic shelters. The wall is a landmark structure within Dublin Bay not least due to the impact its construction had on the

formation of Bull Island. Historical significance is attributable due to its association with George Halpin, engineer for the port of Dublin and Francis Giles, who collaborated to prepare the scheme.

The construction of the North Bull Wall followed on from the earlier South Bull Wall and together they represented a remarkable piece of harbour engineering allowing the depth of water in the previously treacherous Dublin Bay to be increased with the Bull Bridge an intrinsic part of this.

### **Relevant Planning History**

An overview of the development of Dublin Port eastwards along the River Liffey is clearly demonstrated by cartographic records dating from Bernard de Gomme's Map of 1673 to the present day. Dublin Port has been the subject of a large number of recent alterations as noted in the list of planning applications provided in the planning application form within the Planning Particulars. These are reflective of the constant pressures to respond to the changing requirements of a busy port.

### **Description of the works**

In summary, the proposed works comprise alterations and extensions to existing 20<sup>th</sup> century berthing arrangements including a prominent extension (Berth 53), the creation of a new 'Heritage Zone' at the east end of the port and the demolition of the Eastern Breakwater Pier Head (the remainder of Bindon Stoney Blood's 19<sup>th</sup> century breakwater to the deepwater Alexandra Basin) described in the Planning Report 5.1 as *'lengthening of an existing river berth (50A) to provide the Container Freight Terminal with additional capacity to handle larger container ships. These works will include the infilling of the basin east of the now virtually redundant Oil Berth 4 on the Eastern Oil Jetty'*.

- A Berth 53 - new in new location – will accommodate vessels of 240m in length
- B Berth 52 - new location - will accommodate vessels of 240m in length
- C Berth 49 - same location, amendments - will accommodate vessels of 240m in length
- D Berth 50A – demolition of Blood Stoney pier/breakwater – referred to as the Eastern Breakwater Pier Head – to accommodate multi-purpose predominantly Lo-Lo Container Vessel Berth
- E Eastern Oil Jetty
- F Channel Widening: dredging works to the south of the existing navigation channel east of the Poolbeg Oil Jetty to a standard depth of 10.0m CD to facilitate the manoeuvring of design vessels from Berths 49, 52 and 53
- G Unified Ferry Terminal
- H Heritage Zone – at the eastern boundary and junction with the proposed new Berth 53
- I Ancillary Works

### **Assessment and conclusion**

The proposed development and expansion of the port to improve its economic viability and the new cycleway and public amenity at its east end are supported in principle, providing the remaining historic fabric within the port is not damaged or compromised by the proposed works.

As previously noted, whilst 4.1.2 of the Planning Report notes that there are *'no architectural features of built heritage designated within the development area. However, the Eastern Breakwater described and indicated in Figure 14-9 of Chapter 14, Volume 2 of the EIAR is of industrial heritage interest, Dublin City Industrial Heritage Record (DCIHR) 19-09-002'*, Southgate and Associates have appraised The Terminus (Pier Head) of the Eastern Breakwater as being 'Nationally Significant' and the Lighthouse Lantern as 'Regionally Significant'.

We are of the opinion that although the Eastern Breakwater Pier End is not included in the Record of the Protected Structures, this structure is in our opinion of Architectural, Archaeological, Technical and Social Interest as defined as Categories of Special Interest set out in the 2000 Planning Act. The proposed deconstruction, removal and relocation of the historic 19<sup>th</sup> century Bindon Stoney Blood Pier end within a new *'evocation of the roundel...that illustrates the geometry of the Pier Head'* in the 'Heritage Zone' is not supported by the Conservation Section and does not accord with best conservation practice and conservation principles, nor the Dublin Principles in relation to Industrial Heritage and would result in the loss of one of the last surviving significant features of maritime interest within the port area.

We refer to the following Dublin Principles, adopted by ICOMOS General Assembly in Paris in 2011,

which are cited in the documentation submitted:

#### Principle 2 – Protect

Protection measures should apply to buildings and their contents since completeness or functional integrity is especially important to the significance of industrial heritage structures and sites. Their heritage value may be greatly jeopardized or reduced if machinery or other significant components are removed, or if subsidiary elements which form part of a whole site are destroyed.

#### Principle 3 – Conserve

Dismantling and relocating are only acceptable in extraordinary cases when the destruction of the site is required by objectively proved overwhelming economic or social needs.

The adoption of the Dublin Principles by ICOMOS General Assembly in Paris in December 2011 was a major step in the recognition of the significance of industrial heritage, and the need for its conservation, protection and enhancement. The following is a synopsis of what constitutes 'industrial heritage' as detailed in the Dublin Principles:

*'Industry, along with implying manufacturing, includes transport, extraction, public utilities and telecommunications. Industrial heritage consists of a broad range of physical remains and objects including landscapes, sites, structures, machinery and documents which provide evidence of these various types of industry. It includes both material assets and intangible elements such as technical knowledge, work management, and social and cultural legacy. Thus the study and appreciation of industrial heritage can appeal to a people from many different backgrounds including, but not limited to, archaeologists, engineers, geographers, historians, architects, sociologists and those employed in industry.'*

We refer also to the following conservation principles in particular as set out within the Architectural Heritage Protection Guidelines 2011 which are contravened by the proposed works:

- Protecting the Special Interest
- Promoting Minimal Intervention
- Ensuring Reversibility of Alterations
- Avoiding Incremental Damage
- Discouraging the use of Architectural Salvage from Other Buildings

Whilst it is acknowledged that the ongoing development and alteration within a commercial port is inevitable, our concerns relate to the continued incremental losses where the special category of interest and special significance is adversely impacted by such development.

Fig. 4 in MOLA's Industrial Heritage and Compensation Planning and Design Report clearly demonstrates in one location at the Eastern Pier Head the extant buildings/features in the 1980s including the 1907 Lighthouse and lantern, the Dublin Port Radio Station Building, mast and large iron structure in the foreground, all of which were replaced by the new Port Operations Building erected c. 2002-5.

The proposed removal and relocation of the 19<sup>th</sup> century Pier End has not been sufficiently justified in the documentation provided by the applicant. We consider that the separation of the Pier Head from the last visible remains of the historic breakwater (possibly buried) and its 'evocation' at the east end of the proposed new 'Heritage Zone' with the former lighthouse lantern within the new 'Marker' feature offers little mitigation for its dismantling, removal and relocation.

The existing stone steps adjoining the Pier End are not referred to in the proposed works. The MOLA report notes that the base of the 'Marker' will echo the actual plan of the Pier Head Lighthouse, but does not indicate which one (that constructed in 1907 or the earlier lighthouse).

MOLA's Industrial Heritage Impacts and Compensation Planning and Design Report notes that *'Chapter 14 of the EIAR...further recommends that a complete 3D record of the existing structures and associated features must be acquired to archaeological standards, ensuring metrically accurate plan elevation and section drawing information will be acquired. It also notes that the demolition of the Pier Head required a commitment to salvage and store the measuring elements for heritage gain projects. It further noted that the demolition process would afford an opportunity to record and recover*



*exemplars of Bindon Blood Stoney's work and to understand more fully the construction process developed to create the Deepwater Basin....'* The EIA also notes in 14.6 that *'the breakwater today lies under the active road surface that is Breakwater Road which leads from Tolka Quay Road south to the quayside at the Port Operations/VTS Building'*.

These remains should be respected in any works arising, and a detailed methodology should be provided for the demolition and removal of the Operations Building from the Pier End to avoid any damage to the historic fabric.

The legacy of Bindon Blood Stoney would be better served by retaining the Pier Head in its existing location in terms of protecting the architectural heritage. It is acknowledged that the Pier Head which once marked the outer extremity of the Port, would in the present proposed development be positioned at the centre of the extended Port. The proposal to mark the end/beginning of the new Port at the end of the new 'Heritage Zone' would continue a logical symbolic tradition. We recommend that the applicant reconsiders the proposed removal of the Pier End, and this important historic features remains in its current location and an alternative design is developed accommodate a large berth 50A for larger vessels.

#### South Wall, North Bull and Dublin Harbour

Notwithstanding the exclusion of the South Wall from the subject site, we have grave concerns about the continued and likely impacts of increased scouring/dredging/water movements that will arise from the proposed development on the South Wall, a Protected Structure and Recorded Monument within a Conservation Area, which currently displays serious defects that include cracked stones, large continuous gaps along the edges of the wall at upper and lower levels, and obvious subsidence and dipping in particular on the northern side.

There has been a continued deterioration in the condition of the South Wall in recent times, which has not been rectified by the filling of ever-widening joints with material that has in turn augmented stresses presented as cracking within the historic stone slabs on the surface of the wall. We are of the opinion that any further significant works that would intensify the amount of dredging/scouring/water movements arising from increased traffic volumes will continue to have a significant effect on the historic fabric of the South Wall.

EIA Chapter 14 Table 14-1 states that there will be no impacts from the MP2 Project on the Sea wall , Great South Wall to Poolbeg Lighthouse. This is reiterated in 14.4.4 and 14.1.1.9. This has not been adequately demonstrated.

In respect of the unprotected, albeit architecturally significant Bindon Stoney Blood East Pier, we refer to DCC Development Plan 2016 0 2022 Objective CHCO10 – 6 *'To have regard to the city's industrial heritage and Dublin City Industrial Heritage record (DCIHR) in the preparation of Local Area Plans and the assessment of planning applications.....'* and 14 *'To implement and promote The Dublin Principles (ICONOS,2011) as guiding principles to assist in the documentation, protection, conservation and appreciation of industrial heritage as part of the heritage of Dublin and Ireland'*.

In respect to the South and North Walls (Protected Structures), Policy CHC2 seeks *'To ensure that the special interest of protected structures is protected'*.

#### New Berth 53 and Heritage Zone

We are of the opinion that the proposed new stepped feature and evocative Marker will be hugely dependent on the quality of the materials used, particularly the concrete, in the formation of this new public place. Unfortunately in our opinion, based on the images provided in MOLA's Industrial Heritage Impacts and Compensation Planning and Design Report, the new two-tiered concrete Berth 53 obstructs the views of the bay looking south.

## **Air Quality Monitoring & Noise Control**

### Noise Control and Air Quality Control - Demolition and Construction Phase

- The mitigation measures contained in the Environmental Impact Assessment Report written by RPS must be implemented in full.
- The measures outlined in the Air Quality Monitoring and Noise Control Unit's Good Practice Guide for Construction and Demolition must be implemented in full. The risk category is high risk for this purpose.
- The site and building works required to implement the development shall only be carried out between the hours of:

Monday to Friday - 07.00 a.m. - 6.00 p.m.

Saturday 08.00 a.m. - 2.00p.m.

Sundays and Bank Holidays - No activity on site

- Deviation from these times will only be allowed in exceptional circumstances where prior approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

### General

- An air quality monitoring network to monitor air pollution during the construction and operational phases must be proposed and approved by Dublin City Council. The proposal must have regard to the provisions of The Air Quality Standards Regulations 2011 (S.I. 180 of 2011).

## **Drainage Division**

There is no objection to this development, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).

The development is to be drained on a completely separate foul and surface water systems.

Appropriate oil water separators and silt traps shall be installed on the internal drains as indicated on the drainage layout drawing no. CP1770-ATK-01-ZZ-M2-CE-0501, Rev.00.

The development shall incorporate Sustainable Drainage Systems in the management of surface water. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.

Flood mitigation measures as detailed in submitted Flood Risk Assessment by RPS shall be implemented.