MP2 PROJECT

PLANNING REPORT

COMHLACHT CHALAFORT ÁTHA CLIATH
DUBLIN PORT COMPANY

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1 INTRODUCTION

1. This Planning Report has been prepared by RPS Group Limited (RPS) to accompany an application submitted by Dublin Port Company (DPC), Port Centre, Alexandra Road, Dublin 1, to An Bord Pleanála (the Board) in respect of a 15-year permission to develop port infrastructure to facilitate additional capacity to cater for the import and export of cargo from Dublin Port. The proposed development is titled the MP2 Project for the purposes of this application for permission.

2. This application is made in accordance with the provisions of section 37E of the Planning and Development Act, 2000 (as amended), relating to Strategic Infrastructure Development (SID).

1.1 Purpose of this Report and Structure

3. The purpose of this Planning Report is to present, in summary, the land use planning aspects of the application for permission and references other particulars accompanying the application which are intended for the information of parties to the application and the Board in its determination of this application.

4. The structure of this Planning Report is guided by the suggested content of a planning report as set out in the Department of Environment, Heritage and Local Government's *Development Management Guidelines for Planning Authorities* (2007) and is presented in a clear and logical manner. The structure of this statement is as follows:

Chapter 1: **Introduction** – report context, purpose and structure, details of the applicant, need for the project, summary description of the proposal and enclosures.

Chapter 2: **Legislative Context** - Strategic Infrastructure Development, Environmental Impact Assessment Report process and Appropriate Assessment process.

Chapter 3: **Project Evolution:** Evolution of the project.

Chapter 4: **Description of the Site** – Site characteristics and planning history.

Chapter 5: **Description of the Proposed Development** – Proposed development, ancillary elements and construction methodology.

Chapter 6: **Planning Policy Context** – Relevant European, national, regional and local planning policy and guidance.

Chapter 7: **Planning Appraisal** - Evaluation of proposed development having regard to inter alia planning policies and objectives.

Chapter 8: **Conclusions**.

1.2 Details of the Applicant

5. The details of the applicant are:

Registered Name:	Dublin Port Company.
Registered Address:	Port Centre, Alexandra Road, Dublin 1, D01 H4C6.
Company Directors:	Lucy McCaffrey (Chairperson), Eamonn O'Reilly (Chief Executive), Geoffrey Darling, Keith Nolan, Helen Collins, Michael Hand, Michael Brophy, Lesley Williams.
Company Registration No.	262367.

1.3 Details of the Project Team

6. The main agent on behalf of the applicant is Helena Gavin, Town Planner, of RPS Group Limited, West Pier Business Campus, Dun Laoghaire, County Dublin.

7. A design team, led by Adam Cronin of Atkins Byrne Looby Consulting Engineers, has advanced the scheme from concept through to planning design stage since the team's initial appointment in 2017. As part of this exercise the design team has had input from various consultants, either in terms of the design process, consultations or as part of the Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) feedback process.

8. The Environmental Impact Assessment Report (EIAR) was prepared by RPS and manged by Alan Barr. Details of contributors to the EIAR are provided within Chapter 1, Volume 2 of the EIAR.

9. The Habitats Directive Appraisals (AA Screening and Natura Impact Statement (NIS)) were prepared by James McCrory, Ecologist with RPS.

1.4 Need for the Proposed Development

10. The need for, and benefits of, the project are explained in detail in the statement *MP2 Project: Project Rationale* prepared by DPC which is included as **Appendix A** to this Planning Report. The need for the project is also set out in Chapter 3, Volume 2 of the EIAR.

11. A description of operations which take place within Dublin Port is provided in **Appendix B** to this Planning Report. This information, prepared by DPC, is intended to provide the Board with an overview of the issues involved in managing an operational port.

12. Principally, the European Union (EU) has defined a series of Trans European Networks (TENs) which include transport, telecommunications and energy networks across Europe. The transport network (TEN-T) envisages coordinated improvements to all forms of transport infrastructure to provide integrated and intermodal long-distance, high-speed corridors. Motorways of the Sea are considered the maritime pillar of the TEN-T. They contribute towards connecting Core Network Corridors by integrating the maritime leg and also facilitating maritime freight transport with neighbouring countries. For each corridor, a work plan guides and coordinates investment and also integrates projects agreed under the Connecting Europe Facility (CEF) fund. It is intended that seamless movement along these corridors will provide Europe's internal market with a transport network that can face the challenges of an increasingly global marketplace.

13. The North Sea-Mediterranean Core Network Corridor (purple) covers six different Member States – Belgium, Ireland, France, Luxembourg, the Netherlands and the United Kingdom. The corridor connects with the North Sea-Baltic and Rhine-Alpine Corridors in the east, the Atlantic Corridor in the west and the Mediterranean Corridor in the south. Dublin Port is a Core Port and Designated Node on the North Sea-Mediterranean Core Network Corridor. Dublin Port and the network are illustrated on **Figure 1-1**.

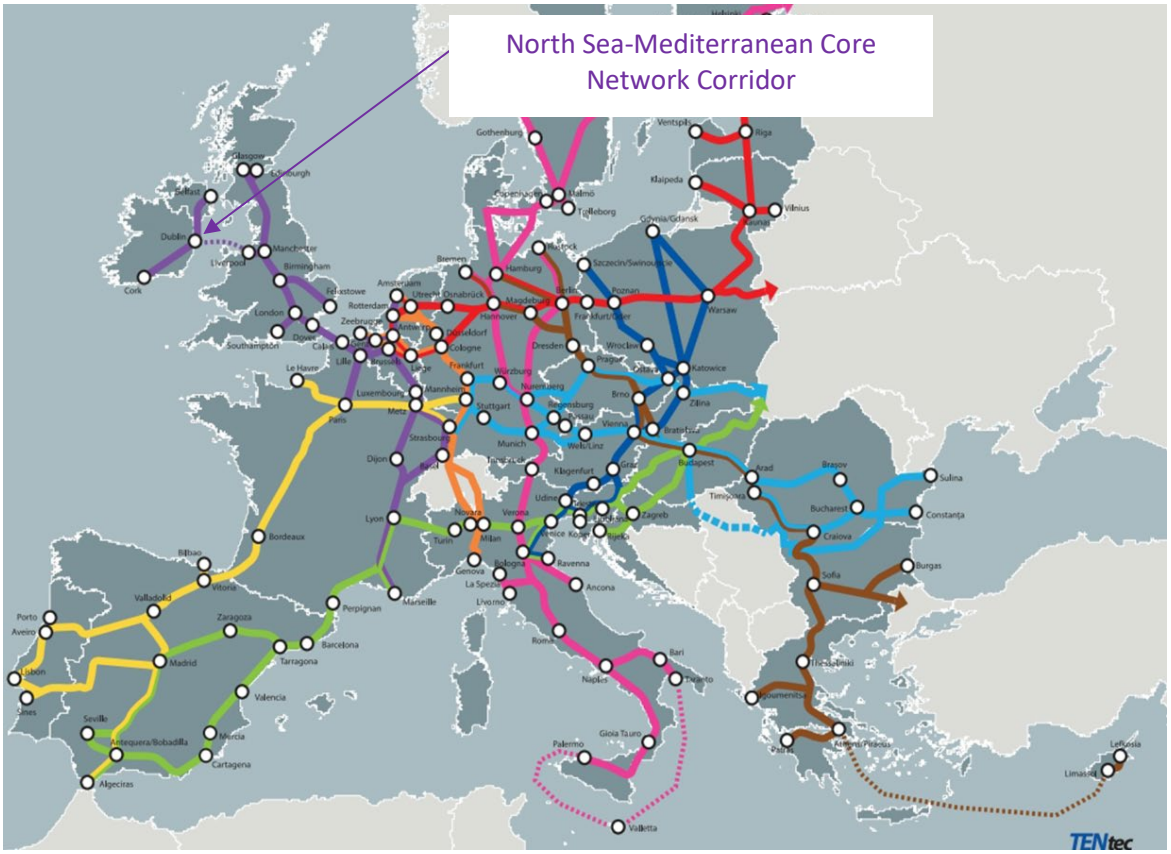

Figure 1-1: TEN-T Core Network Corridors and Dublin Port
Source: https://ec.europa.eu/transport/themes/infrastructure_en

14. Dublin Port is the largest and most important port in the country. The combination of reasonable depth of water, proximity to the largest concentration of population on the island and excellent access to the national road and rail networks gives Dublin Port its importance in both the EU TEN-T network[1] and in the national port system.

15. Dublin Port's share of national volumes in Ro-Ro[2] is 88.7% and in Lo-Lo[3] is 72.6%. Over two million passengers passed through Dublin Port in 2018, the majority (90.3%) on ferry services to Holyhead, Liverpool and Cherbourg. Ferry passenger numbers are on an upward trend and the planned introduction by major ferry operators (Irish Ferries and Stena Line) of large new ships within the next two years will support a continuing increase in ferry passenger numbers.

16. Dublin Port is a key part of the national port system, as confirmed in the *National Ports Policy 2013*, and DPC seeks to ensure that it continues to play its role in providing national port capacity.

[1] The Trans European Network for Transport (TEN-T) is a central concept within EU Transport Policy as set out in the EU white paper *Roadmap to a Single European transport area – Towards a competitive and resource efficient transport system, COM(2011) 144 final* and in many EU policy and funding initiatives subsequently. The TEN-T network recognises ports as key nodes within the wider road, rail and shipping networks that facilitate trade within and outside the EU. There are 319 ports identified in the network. 83 (including Dublin) are in the *core* network and 236 are in the *comprehensive* network.

[2] Ro-Ro: Roll-on/Roll-off refers to shipping services and activities where vehicles are driven on and off ferries or other specialised ships (such as car carriers).

[3] Lo-Lo: Lift-on/Lift-off refers to cargo ships which rely on cranes to lift containers on and off

17. DPC prepared the *Dublin Port Masterplan 2012-2040* which charted the planned development of Dublin Port and the course along which it will fulfil its role and function as a designated port. In 2015 DPC obtained permission for the first phase of the Masterplan, the Alexandra Basin Redevelopment (ABR) Project (Board Ref. PL 29N.PA0034).

18. DPC prepared the *Dublin Port Masterplan 2040 Reviewed 2018* which included an envisaged increase in Dublin Port's capacity over the 30 years to 2040 to be 77.2m gross tonnes per annum. The proposed development which is the subject of the current application for permission, the MP2 Project, represents the second phase of the port's development and reflects increasing growth trends since the ABR Project was permitted and is also consistent with the objectives of TEN-T for the North Sea-Mediterranean Corridor and the designated role of Dublin Port. The MP2 Project will provide 30.2% of the increase in capacity required.

19. To maintain competitiveness and operational efficiencies, DPC needs to plan for the provision of infrastructure to cater for larger ships within its landholding. To meet the forecast demand, DPC therefore needs to:

- Provide for deeper berths to cater for larger vessels.
- Reconfigure existing quays and berths to cater for longer vessels including the demolition of parts of the quays.
- Provide for new improved quayside infrastructure.
- Reconfigure landside storage areas and provide some additional areas to cater for increases in the volume of unitised cargo.

20. Delivery of the proposed MP2 Project seeks to achieve:

- Completion of a single unified Ro-Ro ferry terminal to cater for a combination of traffic modes[4] on multi-purpose ferries and new longer and larger ships currently being commissioned by these operators which provide services to ports in Britain and France.
- Bring the development of capacity for Lo-Lo operations in the Container Freight Terminal to a completion.

21. The proposed MP2 Project is supported under the TEN-T Programme and the European Investment Bank (EIB). The development of Dublin Port as a designated port has specific support at all levels of the planning policy hierarchy as set out in **Section 6.0** of this Planning Report.

1.5 MP2 Project

22. The MP2 Project will mainly be located on the north side of the port. This area incorporates Irish Ferries, Stena, Seatruck, Dublin Ferryports Terminal (DFT) and oil zone terminals and berths. The location of the site is shown on **Figure 1-2**.

[4] The various traffics serviced by these ferries are; driver accompanied freight vehicles, unaccompanied freight vehicles and passenger traffic either in vehicles or as foot passengers.

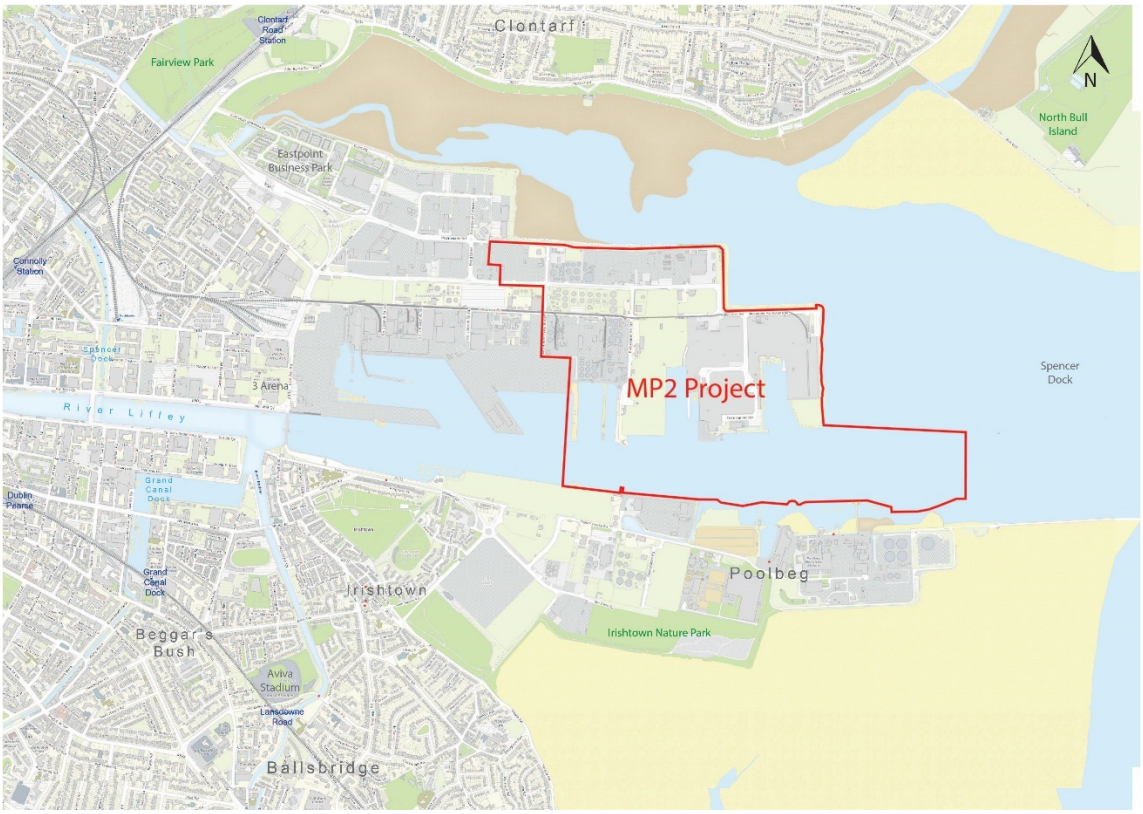

Figure 1-2: Site Location
Source: Based on OSi

23. 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 Special Protection Area (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 the now virtually redundant Oil Berth 4 on the Eastern Oil Jetty.
- The redevelopment and future-proofing of Oil Berth 3 as a future deep water container berth for the Container Freight Terminal. The future-proofing will facilitate the change of use of the berth from petroleum importation to container handling when the throughput of petroleum products through Dublin Port declines as a result of national policies to decarbonise the economy.
- 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.

24. The proposed development is described in detail on the statutory notice. The proposed site layout plan is provided in Drawing No CP1770-BLP-ZZ-ZZ-M2-MA-0005 prepared by Atkins Byrne Looby Consulting Engineers. An extract from the Proposed Site Layout Plan is reproduced in **Figure 1-3.**

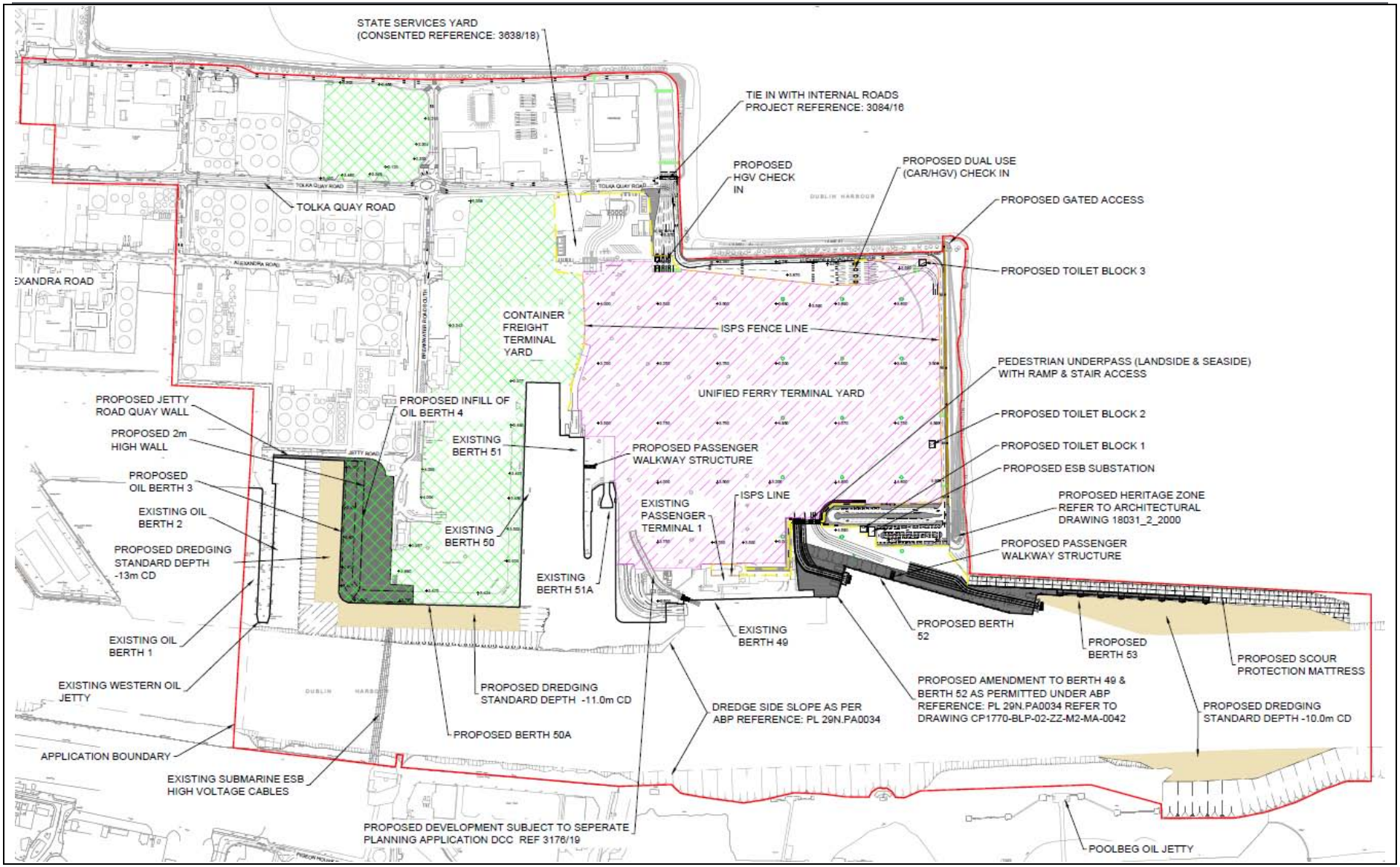

Figure 1-3: Proposed Site Layout Plan

Source: Drawing No CP1770-BLP-ZZ-ZZ-M2-MA-0005 prepared by Atkins Byrne Looby Consulting Engineers

1.6 Documents Submitted as part of this Application

25. In addition to the application fee of **€100,000**, documents and drawings listed in **Table 1.1** are contained within this application to the Board.

Table 1-1: Application Documents as submitted

Section	Document
Statutory Documents	• Cover Letter to An Bord Pleanála • Copy of Site Notice • Copy of Newspaper Notice • Completed An Bord Pleanála Application Form • Schedule of Prescribed Bodies and Notification • Schedule of Pre-application Consultations • Letter of Consent • EIA Portal Confirmation
Reports	• Planning Report – Appendix A Dublin Port Company MP2 Project: Project Rationale – Appendix B Description of Port Operations – Appendix C Community Gain Proposal • Conservation Strategy and Industrial Heritage Appraisal • Industrial Heritage Impacts and Compensation Planning and Design Report • Control of Major Accident Hazards (COMAH) Land Use Planning Assessment • Summary of Mitigation Measures Draft Construction Environmental Management Plan (CEMP)
Drawings	• Engineering Drawings • Heritage Drawings
Environmental Impact Assessment Report	• Environmental Impact Assessment Report – Volume 1 EIAR Non-Technical Summary – Volume 2 EIAR Main Document (Part 1 & Part 2) – Volume 3 EIAR Main Document (Parts 1, 2a, 2b, 3, 4)
Natura Impact Statement	• Screening for Appropriate Assessment & Natura Impact Statement Main Document • Screening for Appropriate Assessment & Natura Impact Statement Appendices
Spatial Data	• Application Site Boundary
Soft Copy	• Electronic copy of all documents and drawings on a CD/DVD

26. Each of the reports should be read in conjunction with the planning drawings. A schedule of the planning drawings is enclosed in Appendix A of the Application Form for this application.

27. Prior to making this application, the plans and particulars enclosed herewith have been screened with reference to the *Planning and Development Regulations 2001-2019*. In this regard it is noted that a '*General Guidance Note*' in the Board's Application Form specifies that the range and format of application material shall generally accord with requirements for an application (e.g. the requirements in articles 22 and 23 of the *Planning and Development Regulations 2001-2019*. Albeit, it is noted that the Planning and Development Regulations do not contain specific requirements for drawings and materials to be submitted to the Board with applications for permission as per section 37E of the *Planning and Development Act 2000, as amended*. With regard to the application particulars we note the following

- The site which is the subject of this application is outlined in red on the Overall Site Location Map (Drawing No CP1770-BLP-ZZ-ZZ-M2-MA-0001), prepared by Atkins Byrne Looby Consulting Engineers. The land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant is outlined in blue. The scale of this drawing is 1:7500 given the extent of the Dublin Port Estate.
- The position of the site notices erected are identified on the Overall Site Location Map (Drawing No CP1770-BLP-ZZ-ZZ-M2-MA-0001). The site notices (2no. A3 sized pages) are

situated at 10no. separate locations in order to ensure maximum public awareness of the nature and extent of the proposed development.

- Having regard to article 19(4) of the Planning and Development Regulations, we note an application in respect of land substantially consisting of the site or part of the site to which the present application relates has been made within the last 6 months. The site notices for the present application are printed on a yellow background.
- Having regard to the demolition of structures on site (which are neither protected structures nor proposed protected structures), the Planning and Development Regulations do not require floor plans of these buildings to be submitted with this application. However a record of these buildings has been included in the documentation submitted with this application for permission (see Drawing nos. CP1770-ATK-01-ZZ-M2-CE-0021 to CP1770-ATK-01-ZZ-M2-CE-0028) in the interests of completeness. Removal of part of an industrial heritage feature Dublin City Industrial Heritage Record (DCIHR) 19-09-002 is proposed and a comprehensive appraisal of this development is provided in the *Conservation Strategy and Industrial Heritage Appraisal* prepared by Southgate Associates included as part of the application documentation.

28. The extent of the proposed development is located on lands owned by the applicant. In addition, certain elements of the proposed development are located within the foreshore. A letter of consent to the making of the application for permission from the Foreshore Unit of the Department of Housing, Planning and Local Government (Foreshore Unit) is enclosed with the application.

29. Elements of the proposed development are located over ESB 220kV high voltage cables. There is no registered wayleave in respect of those cables, however a letter of support in relation to the approach proposed in respect of works above this cable route from ESB Networks is included in Appendix 5 Volume 3 of the EIAR.

30. In line with the application requirements for SID projects, DPC has created a website for the purposes of enabling the public to view the plans and particulars of the application for permission: www.dublinportmp2.ie. This website is structured, as follows:

- Statutory Documents.
- Reports.
- Drawings.
- Environmental Impact Assessment Report.
- Natura Impact Statement.
- Spatial Data.

31. The content of each folder is reflected in **Table 1.1** above.

2 APPLICABLE PLANNING LEGISLATION

2.1 Strategic Infrastructure Development

1. The planning system in Ireland is governed by the provisions of the *Planning and Development Act 2000* to *2019* (the Planning and Development Acts) and the associated *Planning and Development Regulations 2001 to 2019* (the Planning and Development Regulations). SID comprises categories of development as defined by the Planning and Development Acts which are considered to be of, *inter alia*, national or regional strategic importance.

2. Section 37B(1) of the Planning and Development Acts provides that, in respect of certain classes of development which may comprise "*strategic infrastructure development*":

> *"(1) A person who proposes to apply for permission for any development specified in the Seventh Schedule shall, before making the application, enter into consultations with the Board in relation to the proposed development."*

3. In circumstances where the proposed port infrastructure included in the MP2 Project exceeds the minimum threshold in the *'Transport Infrastructure'* class of development in the Seventh Schedule to the Planning and Development Acts, pre-application consultations were entered into with the Board regarding the proposed development (Board Ref. PL 06F.PC0252). Following the conclusion of the pre-application consultations entered into between DPC and the Board, by notice dated 9th August 2018, the Board confirmed that it *was "of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a)(b) and (c) of the Act. Accordingly, the Board has decided that the proposed development would be strategic infrastructure within the meaning of section 37A of the Planning and Development Act, 2000, as amended."*[5]

4. Following the issuing of this notice by the Board under section 37B(4)(b) this application for permission is now made directly to the Board, in accordance with the provisions of section 37E of the Planning and Development Acts.

2.2 Requirement for Environmental Impact Assessment

5. With respect to environmental assessment, section 37E of the Planning and Development Acts states:

> *"(1) "An application for permission for development in respect of which a notice has been served under section 37B(4)(a) shall be made to the Board and shall be accompanied by an environmental impact assessment report in respect of the proposed development."*

6. In this regard an EIAR is a requirement of the SID application process. To facilitate the Board in carrying out the necessary assessment, the application documentation includes an EIAR.

2.3 Requirement for Appropriate Assessment

7. The Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC) are the cornerstones of the EU nature conservation policy. These provisions set out various procedures and obligations in relation to nature conservation management in EU member states in general, and habitats and species of European importance, in particular.

8. Articles 3 to 9 of the Habitats Directive provide the EU legislative means to protect habitats and species of interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These Natura 2000 sites include Special Areas of Conservation (SAC) designated under the Habitats Directive and Special Protection Areas (SPA) designated under the Birds Directive. In addition, Irish legislation incorporates candidate SAC and proposed SPA within

[5] *http://www.pleanala.ie/casenum/PC0252.htm*

the definition of *"European sites"*, thus providing those candidate and proposed areas with the same level of protection as sites which have completed the formal designation process.

9. A key protection mechanism is the requirement to consider the possible nature conservation implications of any plan or project on the Natura 2000 site network before any decision is made to allow that plan or project to proceed. The Directive requires, *inter* alia, that any plan or project not directly concerned with or necessary to the management of the protected site but likely to have a significant effect thereon shall be the subject of an appropriate assessment on the implications for the site in view of the site's conservation objectives. In the light of conclusions of the assessment of the implications for the site, the competent authority shall grant development consent only after having ascertained that it will not adversely affect the integrity of the site concerned.

10. The proposed development in this instance is located adjacent to the South Dublin Bay and River Tolka Estuary SPA (004024). In order to comply with the requirements of EU and Irish law, and to facilitate the Board in carrying out the necessary AA, Habitats Directive Appraisals are submitted with the application for permission, which include both an AA Screening and a NIS. Accordingly, a NIS has been submitted with the application for permission.

2.4 Consultations with Various Stakeholders

11. As part of the pre-application process for the MP2 project, DPC and its design team met with statutory consultees and stakeholders. An extensive programme of public consultation was undertaken between April and July 2018 to seek the views of the wider public on the MP2 Project. The following is an outline of various dates of mandatory and non-mandatory consultations, as extracted from Chapter 5, Volume 2 of the EIAR. Detailed minutes of these meetings are provided in Appendix 5, Volume 3 of the EIAR.

2.4.1 Pre-Application Consultations with An Bord Pleanála

12. As required under the Planning and Development Acts, pre-application consultations were held between representatives of the Board and the applicant, on 1st December 2017, 24th April 2018 and 2nd July 2018. It is noted that copies of the record of these meetings as issued by the Board are available to view/download from the Board's website[6]. A list of the dates is set out in **Table 2-1**, together with the applicant's summary of the key issues discussed at those statutory pre-application consultations.

Table 2-1: Pre-application Consultation with An Bord Pleanála

Date of Meeting	Key Issues
1st December 2017	The purpose of the meeting was to facilitate the Board obtaining information from DPC, as the prospective applicant, on the proposed development. DPC submitted details of the MP2 Project to the Board including a description of the nature and scale of the project and DPC's assessment of how the MP2 Project constitutes strategic infrastructure in the context of the Planning and Development Acts. DPC were of the view that the MP2 Project falls within the scope of the relevant class of development set out in the Seventh Schedule of the Planning and Development Acts on a number of specific grounds.
24th April 2018	DPC provided an update on progress in relation to environmental baseline surveys and studies and how the findings were influencing the evolution of the project design process.
2nd July 2018	DPC provided a further update on how the proposed MP2 Project had gone through further iterations of design evolution from the original proposal through consultations, engagement, feedback and relevant assessments and studies. At this stage the Board considered that it had sufficient information to make a determination on whether or not the MP2 Project constituted SID.

[6] *http://www.pleanala.ie/casenum/PC0252.htm*

13. The project's design team has had regard to the various issues and topics as raised by the Board in the pre-application consultation and these are reflected in the design, EIA and AA process.

2.4.2 Consultations with Dublin City Council

14. The applicant had consultation meetings with various sections of Dublin City Council listed in **Table 2-2**. The minutes of these meetings are provided in Appendix 5, Volume 3 of the EIAR and are summarised in Chapter 5, Volume 2 of the EIAR.

Table 2-2: Consultation Meetings with Dublin City Council

Department	Meeting Date(s)
Parks Department (on Community Gain elements)	14th February 2018
Planning and Property Development Section, Meeting No1	29th March 2018
Noise and Air Quality Sections	2nd May 2018
Marine Archaeology Section	14th May 2018
Water Quality and Waste Sections	17th May 2018
Archaeology, Conservation & Heritage Section	31st May 2018
Traffic & Transportation Section	25th June 2018
Planning and Property Development Section, Meeting No2	3rd July 2018
Parks and Biodiversity Sections	6th September 2018

2.4.3 Consultations with Prescribed Authorities

15. The applicant also had consultation meetings with those statutory bodies listed in **Table 2-3**. The minutes of these meetings are provided in Appendix 5, Volume 3 of the EIAR and are summarised in Chapter 5, Volume 2 of the EIAR.

Table 2-3: Consultation Meetings with Prescribed Authorities

Consultee	Meeting Date(s)
Department of Housing, Planning & Local Government (DHPLG), Foreshore Unit and Marine Institute	5th July 2018
Department of Culture, Heritage and the Gaeltacht (DCHG) – Marine Archaeology and Built Heritage	30th May 2018
Department of Culture, Heritage and the Gaeltacht (DCHG) - National Parks & Wildlife Service	2nd August 2018
Dublin City Council	See Table 2-2
Inland Fisheries Ireland	6th July 2018
Environmental Protection Authority (EPA), Office of Environmental Sustainability	5th June 2018
Health & Safety Authority (HSA)	11th June 2018

16. An information pack on the MP2 Project was also issued to those listed in **Table 2.3** in June 2018. The consultees were invited to make a submission on the proposed development and outline any issues which they would like to see addressed in the EIAR and NIS. Responses received from the consultees are summarised in Chapter 5, Volume 2 of the EIAR and presented in full in Appendix 5, Volume 3 of the EIAR.

2.4.4 Consultations with Other Bodies

17. An information pack on the MP2 Project was issued to those listed in **Table 2.4** in June 2018. The consultees were invited to make a submission on the proposed development and outline any issues which they would like to see addressed in the EIAR and NIS. Responses received from the consultees are summarised in Chapter 5, Volume 2 of the EIAR and presented in full in Appendix 5, Volume 3 of the EIAR.

Table 2-4: Consultations as part of EIA Process

Consultee List		
Department of Communications, Climate Action and Environment	Department of Agriculture, Food and the Marine	Office of Public Works
Fingal County Council	Dun Laoghaire-Rathdown County Council	South Dublin County Council
Department of Transport, Tourism and Sport	National Transport Authority	Eastern and Midland Regional Assembly
Commission for Railway Regulation	Irish Rail	Transport Infrastructure Ireland
Commissioners of Irish Lights	RNLI	Arts Council
Heritage Council	Fáilte Ireland	An Taisce
Waterways Ireland	Bord Iascaigh Mhara	Sea Fisheries Protection Authority
Marine Survey Office	Marine Institute	Geological Survey of Ireland
Birdwatch Ireland	Irish Whale and Dolphin Group	Irish Seal Sanctuary
Irish Water	Eir	Electricity Supply Board
Gas Networks Ireland	Department of Education and Skills	Department of Business, Enterprise and Innovation
Department of Foreign Affairs & Trade	Department of Health	Health Service Executive
Office of Radiological Protection	Coillte	

18. The applicant had consultation meetings with ESB Networks on 12th June 2018, 31st July 2018 and 8th January 2019. The minutes of these meetings are provided in Appendix 5, Volume 3 of the EIAR and are summarised in Chapter 5, Volume 2 of the EIAR.

2.4.5 Details of Public Consultations

19. An extensive programme of public consultation was also undertaken between April and July 2018 to seek the views of the wider public on the MP2 Project and the proposed community gain initiative to be advanced as part of the project. The full detail of this exercise is provided in Chapter 5, Volume 2 of the EIAR and Appendix 5, Volume 3 of the EIAR.

20. Additional consultation has taken place in the lead up to the application being submitted during 2019 including ongoing interactions with Dublin Port tenants, Community Groups, Dublin City Council and St Joseph's Co-Educational National School with respect to the Community Gain proposal and discussions with government bodies with respect to Brexit. The range of ongoing consultations is provided in Chapter 5, Volume 2 of the EIAR.

21. Further to the significant level of consultation undertaken in relation to the MP2 Project to date, a major public information exercise will be undertaken to inform all stakeholders of the proposed development when the application is submitted to the Board. The purpose of this information exercise, which is in addition to the statutory notification procedures required in relation to the project, will be to inform the public of the development proposals, the impacts arising and to ensure that they are aware of the opportunities available to them to participate in the development assessment process. An outline of the proposed format of this process is provided in Chapter 5, Volume 2 of the EIAR.

2.4.6 Conclusions

22. The various pre-application submissions and comments made in relation to the MP2 Project have been fully considered by the applicant in the design of the scheme and by the consultants in the preparation of the EIAR. Every effort has been made to address all issues raised and, where practicable, mitigation measures have been proposed to minimise the environmental impact of the MP2 Project.

3 PROJECT EVOLUTION

1. On foot of EU Policy and the designation of Dublin Port as a Core Port, the *Dublin Port Masterplan 2012-2040* originally published in 2012 identified a range of infrastructure development works necessary to provide sufficient capacity in Dublin Port for projected growth to 2040. This Masterplan showed how Dublin Port could accommodate a doubling in volume to 60m gross tonnes per annum[7] over the period from 2010 to 2040. This increase was predicated on an average annual growth rate of 2.5%. A key feature of the development strategy at that time was inclusion of consideration of a proposal to extend the port through the infill of 21 hectares at the eastern end of the port, illustrated as Area 8 on **Figure 3-1**. This proposal had already been refused by the Board [8] in 2010.

2. However, since the Masterplan was first published in 2012, there were changes in growth trends and several advances in policy which together refined DPC's view of the port's future development. In 2016, although the port's volumes still remained behind the projections set out in the *Dublin Port Masterplan 2012-2040,* the high level of growth in recent years suggested that the actual growth trend will overtake the Masterplan's growth trajectory in 2019 and accelerate thereafter. Accordingly, DPC believed that the *Dublin Port Masterplan 2012-2040* should be revised based on a 30-year average annual growth rate of 3.3% rather than the originally assumed 2.5%. This growth rate would see volumes rise to 77.2m gross tonnes per annum by 2040. Assuming 77.2m gross tonnes per annum by 2040 is achieved, this will result in full capacity at Dublin Port. To reflect advances in policy, economic projections and ensure that no capacity constraints emerge in Dublin Port in its objective to fulfil Dublin Port's designated role and optimise its lands, DPC undertook a review of its Masterplan, mindful that planning horizons for port infrastructure are long and development decisions must be carefully considered in order to facilitate future demands. Advances in policy are set out in **Table 3-1** below.

Table 3-1: Advances in Policy since 2012

Period	Advance
January 2012	*Dublin Port Masterplan 2012-2040* charting the future development of Dublin Port.
March 2013	*National Ports Policy* confirming Dublin Port's Tier 1 National Port of Significance status.
May 2014	Following a public consultation process, publication by DPC of its *Franchise Policy*[9].
July 2015	The ABR Project was granted planning by the Board [10].
April 2016	Publication by National Transport Authority of its *Transport Strategy for the Greater Dublin Area, 2016 to 2035* identifying the section of the Eastern By-pass route from the Dublin Port Tunnel to the South Port area.
August 2016	DPC acquired 44 hectares in Fingal to accommodate non-core port related activities and create Dublin Inland Port, implementing the *Franchise Policy.*
October 2016	Publication of the *Dublin City Development Plan 2016-2022* supporting the development of Dublin Port and the *Dublin Port Masterplan 2012-2040*.
May 2018	Publication of *National Planning Framework* (NPF) acknowledging *National Ports Policy*, the national hierarchy of tiering of ports and the role of Dublin Port.
July 2018	*Dublin Port Masterplan 2040,* Reviewed 2018 was published charting the future development of Dublin Port.
April 2019	Approval of the *Poolbeg West Planning Scheme* by the Board. The Planning Scheme lands are south of the Liffey and approximately half of which are owned by Dublin Port Company.
June 2019	Publication of the *Regional Spatial Economic Strategy* (RSES) echoing national policies recognising Dublin Port as a critical national facility, a key economic driver for the region and an integral part of Dublin City.

3. As set out in the updated Masterplan, DPC requires all lands within the Port Estate to be committed to support the operational activities of Dublin Port. In this regard the proposal seeking to extend the

[7] Five year rolling average
[8] The application made under ref. no. PL29N.PA0007 proposed the reclamation of 21 hectares of foreshore within Dublin Port for port purposes.
[9] https://www.dublinport.ie/wp-content/uploads/2019/06/Dublin-Port-Franchise-Policy-Doc.pdf
[10] Board Ref. 29N.PA0034 Permission provided for inter alia the extension to Berths 49 and 50, the infilling of Terminal 5 basin and associated Berths 52 and 53, and the construction of new river Berth 52.

port through the infill of 21 hectares at the eastern end of the port, illustrated as Area 8 on **Figure 3-1** has been removed and it is no longer proposed.

4. The revised Masterplan, approved by the DPC Board and published in July 2018, seeks to provide a clear framework to allow essential projects to be brought forward through the consenting process and to be constructed in time to meet demand. The Masterplan also indicates to all the stakeholders within the port how Dublin Port will be developed to meet their needs in the years ahead.

5. As highlighted, the fundamental approach of the Masterplan to providing capacity in Dublin Port is to maximise the utilisation of it's brownfield lands rather than the need to resort to an infill/reclamation option further east. DPC envisages that the development of Dublin Port as set out in the Masterplan will be achieved without any diminution in the quantum of DPC's lands used to support port related activities within the Port Estate. The Masterplan sets out a framework for three projects which include:

- ABR Project, which includes the development of Areas A and C as illustrated on **Figure 3-2**. This project was granted permission by the Board under Ref. PL 29N.PA0034 and is currently under construction.
- MP2 Project, now proposed, and includes the development of Areas C and D as illustrated on **Figure 3-2**.
- A final strategic project to include development of land Areas K, L, M, N and O as illustrated on **Figure 3-2** and possibly also including the development of the Southern Port Access Route (SPAR) to provide connectivity between the Dublin Port Tunnel and the south port lands as envisaged in *Transport Strategy for the Greater Dublin Area 2016 to 2035* published by the National Transport Authority.

6. **Figures 3-1** and **3-2** below illustrate layouts of the *Dublin Port Masterplan 2012-2040* and *Dublin Port Masterplan 2040, Reviewed 2018* as published.

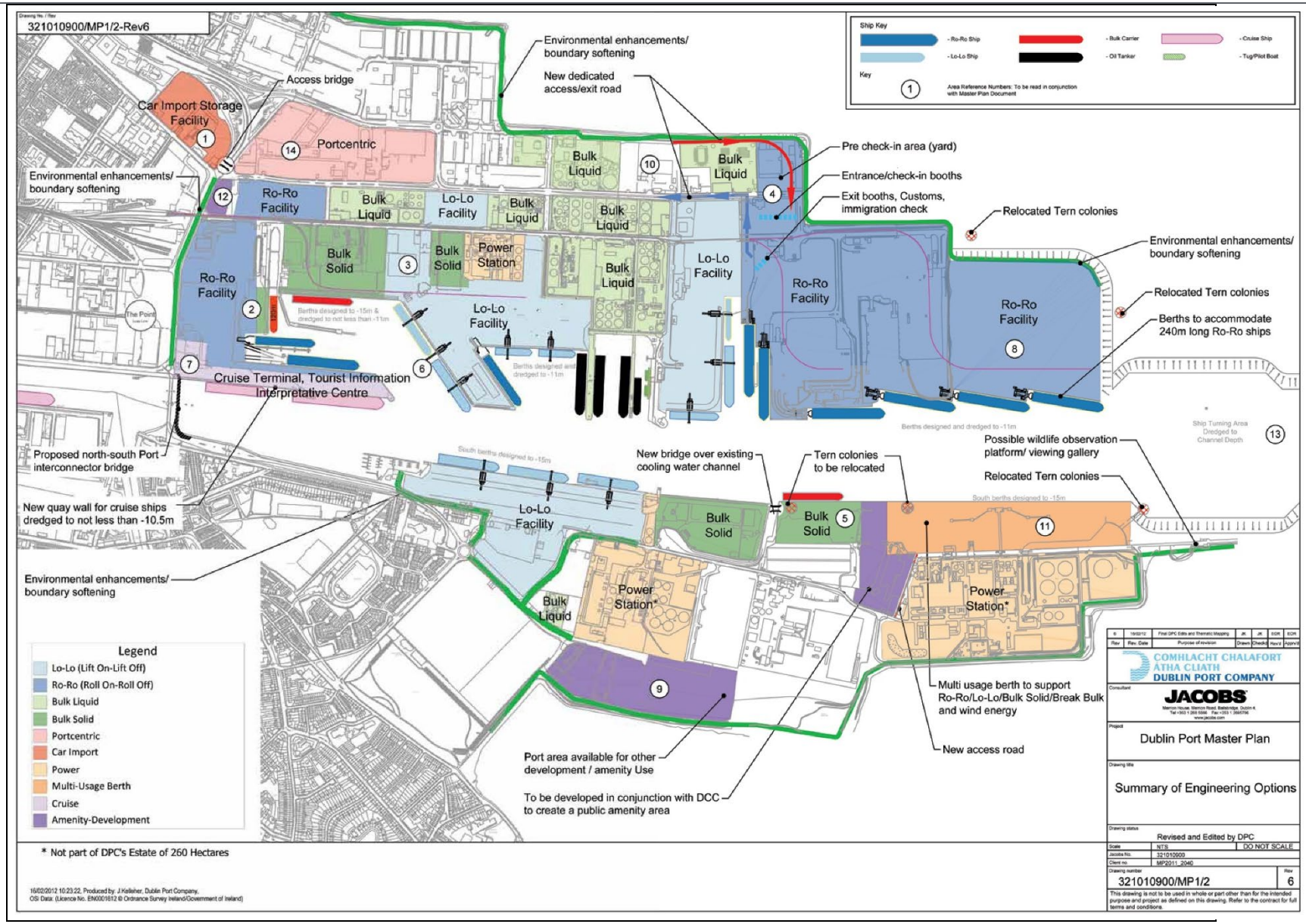

Figure 3-1: Dublin Port Masterplan 2012-2040 Summary of Engineering Options

Source: Dublin Port Masterplan 2012-2040

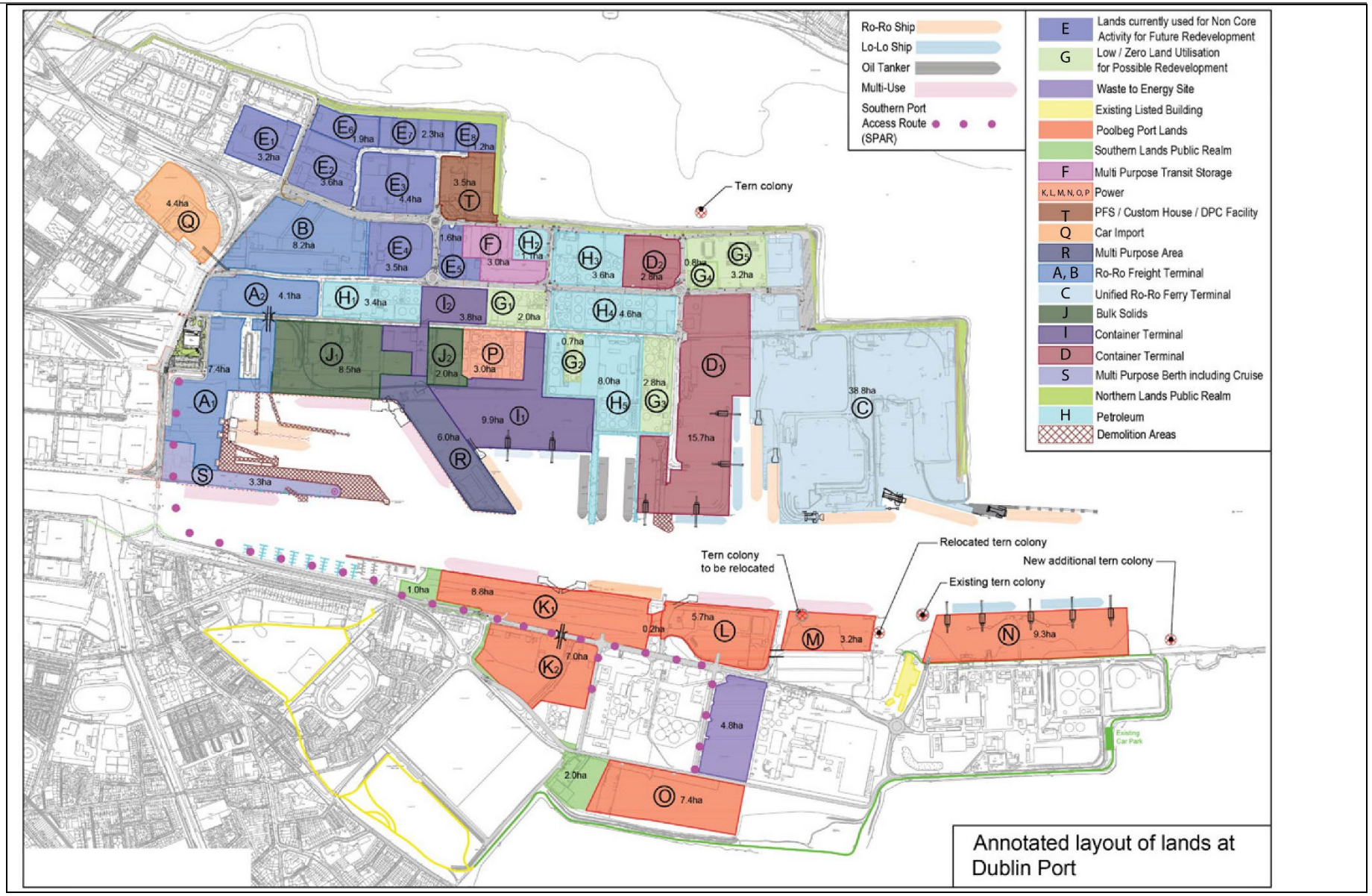

Figure 3-2: Dublin Port Masterplan 2012-2040 Reviewed 2018 (Block 8 removed) **MP2 Project relates to Areas C and D**

Source: Based on Dublin Port Masterplan 2040, Reviewed 2018

4 THE APPLICATION SITE

4.1 Subject Site and Existing Operations

1. Dublin Port comprises some 265 hectares with lands located to the north and south side of the river and 44 hectares at Dublin Inland Port in north County Dublin. The majority of the port, 207 hectares, is located on the north side of the river and is connected to the national road and rail network. Dublin Port's navigation channel and fairway are currently maintained at a depth of -7.8m CD. The main navigation channel and fairway are currently being deepened to -10.0m CD[11] to enable the safe passage of larger vessels bringing freight and passengers to and from the port. DPC is the authority with responsibility for the safe passage of all shipping entering and leaving Dublin Port.

2. The location of Dublin Port in the context of Dublin City is illustrated in **Figure 4-1**.

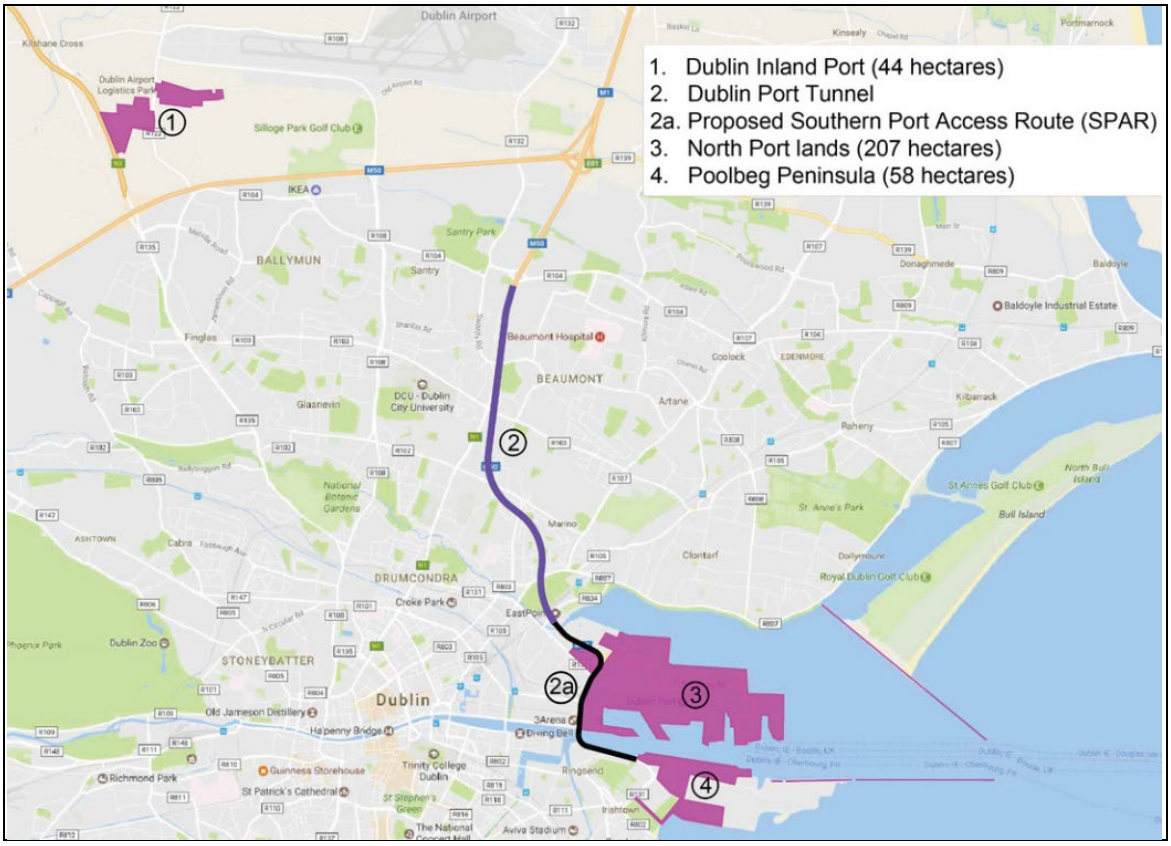

Figure 4-1: Dublin Port Estate
Source: Dublin Port Masterplan 2040, Reviewed 2018

3. The application site is defined by the red line as illustrated on the Existing Site Layout Plan Drawing No. CP1770-BLP-ZZ-ZZ-M2-MA-0002 prepared by Atkins Byrne Looby Consulting Engineers. The site is located at the eastern end of the port and includes the navigation channel and land north of the river. The 165.2 hectare site is generally bounded to the west by port lands with similar land uses, to the north and east by the Tolka estuary and to the south by the Poolbeg Peninsula. An extract from the Site Location Map is reproduced in **Figure 4-2** below. **Figure 4-3** illustrates in general terms of the location of various land uses.

[11] Permitted ABR Project Ref. PL29N.PA0034

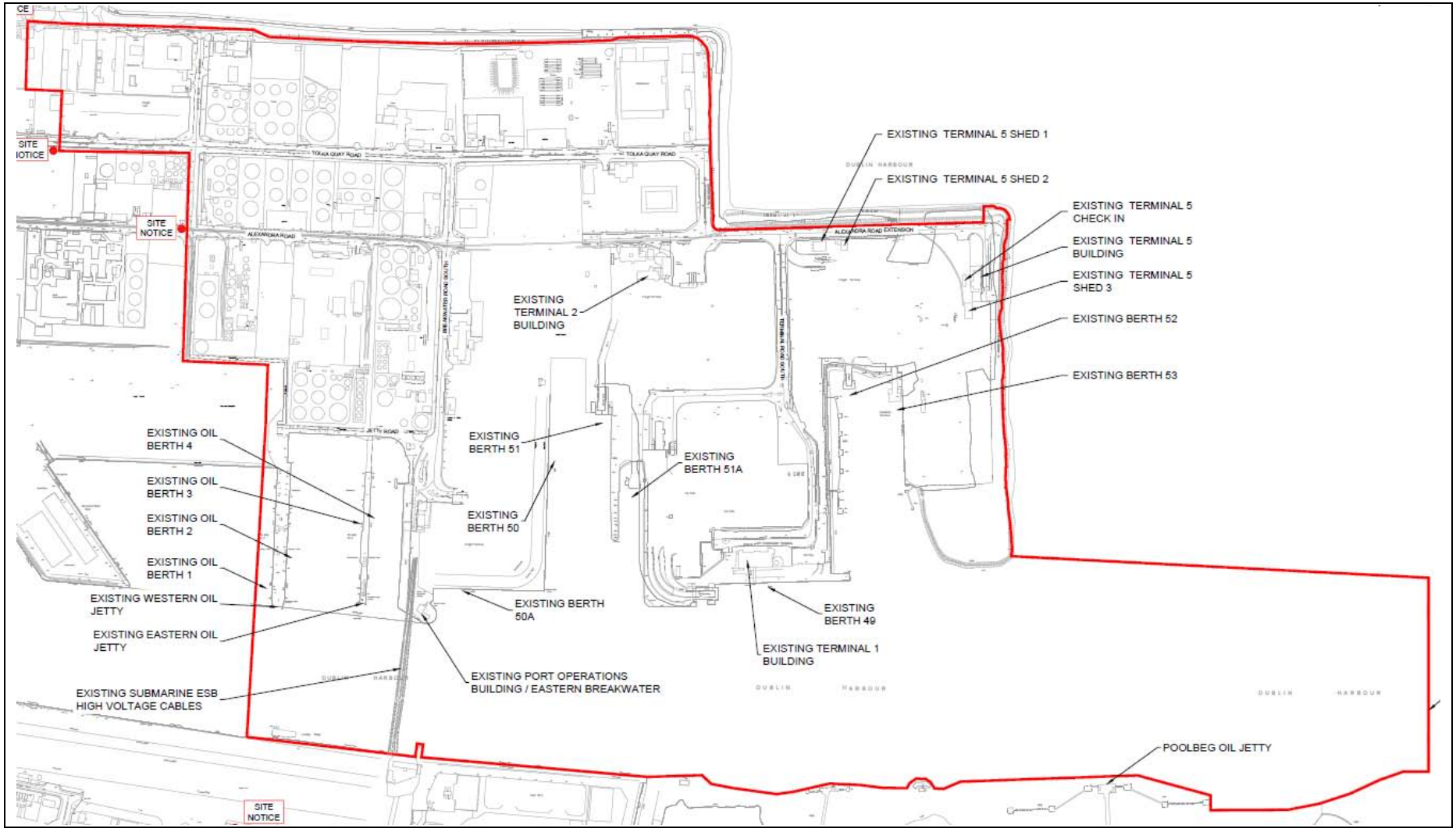

Figure 4-2: Existing Port Layout

Source: Site Location Map Drawing No. CP1770-BLP-ZZ-ZZ-M2-MA-0002prepared by Atkins Byrne Looby Consulting Engineers

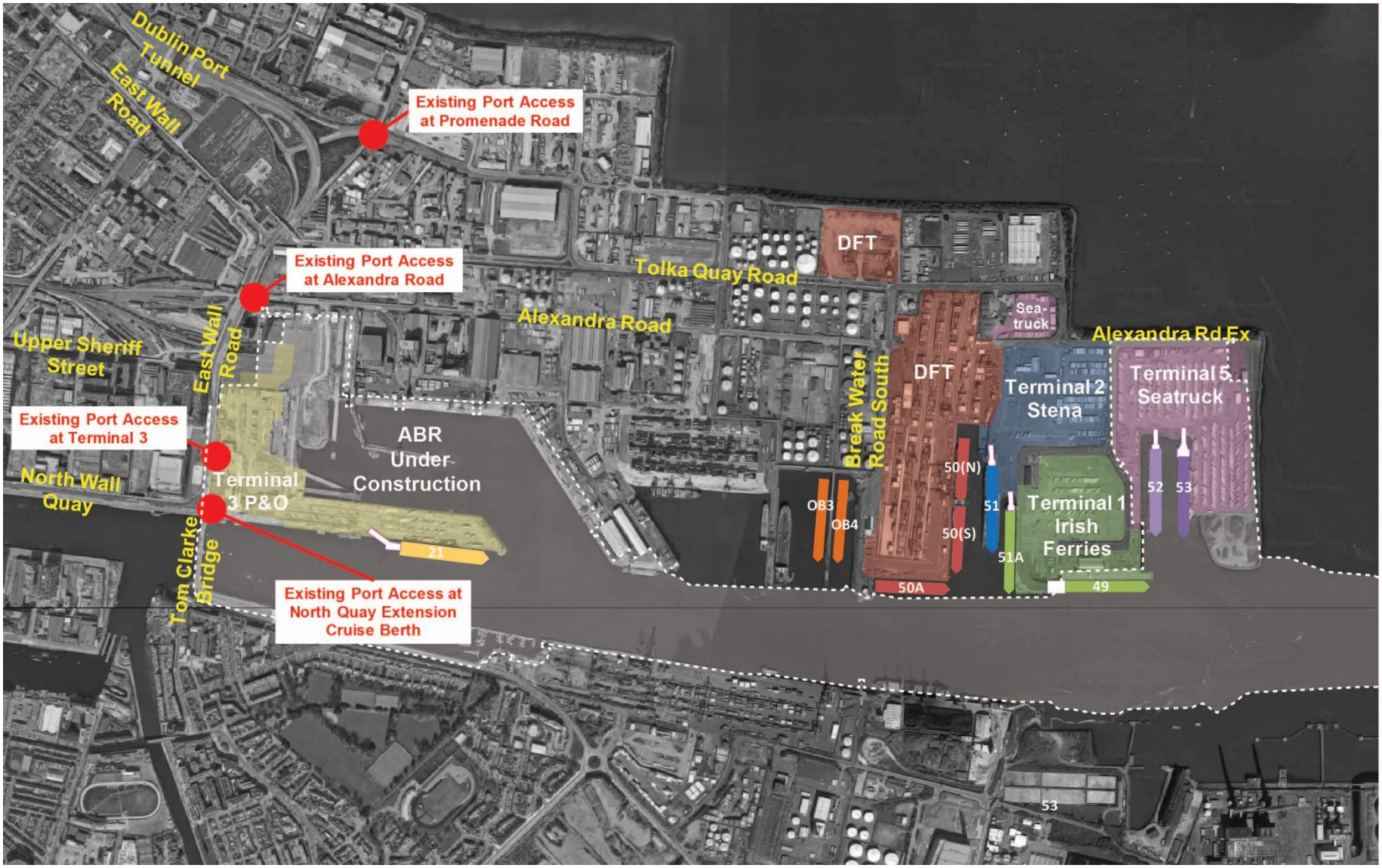

Figure 4-3: Existing Uses

Source: Based on Figure 13-2 Chapter 13 EIAR Volume 2

4. A description of operations which take place within Dublin Port is provided in **Appendix B** to this Planning Report. This information has been prepared by DPC and is intended to provide the Board with an overview of the issues involved in managing an operational port

5. The site of the proposed development, the MP2 Project, occupies the eastern side of the port which accommodates Irish Ferries, Stena, Seatruck, Dublin Ferryports Terminal (DFT) Container and oil zone terminals and berths. The application site includes the following elements:

- **Oil Jetties:** Dublin Port handles a range of bulk liquid products including petrol, diesel and kerosene, but also non-petroleum liquids such as molasses. Approximately 65% of oil imported into Ireland comes in through Dublin Port. There are two oil jetties in operation:
  - The Western Oil Jetty which has two berths (Oil Berth 1 and Oil Berth 2). These berths facilitate the majority of petroleum product imports at Dublin Port. In 2017 Oil Berth 1 had 181 ship arrivals and Oil Berth 2 had 190 ship arrivals.
  - The Eastern Oil Jetty which has two berths (Oil Berth 3 and Oil Berth 4). These berths facilitate the majority of bitumen products and all of the Liquid Petroleum Gas (LPG) imports at Dublin Port. In 2017 Oil Berth 3 had 59 ship arrivals and Oil Berth 4 had only 5 ship arrivals.

  The liquid petroleum products are discharged from tanker ships at these berths and are then pumped through a pipeline system to storage tanks within the port. Oil products are then delivered by road from the port to distribution centres and filling stations.
- **Lo-Lo (Lift-On Lift-Off) Container Terminal:** There are currently three berths within this Lo-Lo Terminal (Berths 50A, 50S and 50N). Within this terminal there are two main groups of cargo handling equipment used for containers; primary and secondary:
  - Primary handling equipment refers to cranes of different types used to load and unload containers on and off the ship. There are two main types of crane in use in Dublin Port, rail mounted gantry cranes and dock mobile cranes. Containers are moved between the stacks and the quay side cranes by special heavy duty truck and trailer combinations or by reach stackers.
  - Secondary handling equipment refers to the equipment used to store containers in back areas in large stacks. There are rubber-tyred gantries (RTG's) and rail mounted gantries in use in Dublin Port. The largest RTG's can store containers in stacks up to six containers high and seven containers wide. These stacks occupy large areas of port land and DPC has a utilisation target of 40,000 TEU (twenty-foot equivalent units) per hectare per annum for the port's container freight terminals.
- **Ro-Ro (Roll-On Roll-Off) Terminals:** There are currently five berths, (Berths 49, 51, 51A, 52 and 53) within the development area together with access/egress ramps for Ro-Ro[12] freight and passengers. With the completion of the ABR Project[13] basin Berths 52 and 53 will be replaced by a new river Berth 52 resulting in four berths, (Berths 49, 50A, 51 and 52).

[12] Ro-Ro refers to where vehicles are driven on and off vessels. Some vessels are freight only while others carry a combination of freight and passengers. Ro-Ro freight is transported in units/containers which are either "accompanied" by a driver/cab or "unaccompanied" and driven on and off ships by dock workers own tractors. The main difference in the two modes is the amount of land needed as accompanied freight drives off the vessel and leaves the port immediately while unaccompanied freight requires larger areas of trailer parking.

13 The ABR Project Board Ref. PL 29N.PA0034 includes the infilling of Basin 52/53 which currently hosts two Ro-Ro Ramps operated by Seatruck. The permission also allows for the construction of a new riverside berth at the entrance to Basin 52/53 (Berth 52) – see **Figure 4.5**.

Ferry Terminal Buildings: There are three ferry terminal buildings located within the application site boundary; Terminal 1 used by Irish Ferries with seasonal Isle of Mann operators; Terminal 2 used by Stena Line; and; Terminal 5 used by Seatruck. Terminals 2 and 5 will be demolished as part of the proposed works. It is noted that Seatruck operations are being relocated as part of the ABR Project. Terminal 5, which is currently used by Stena Line, will also be demolished with Stena Line, Irish Ferries and seasonal operators consolidating their requirements into the existing Terminal 1 Building.

4.1.1 Environmental Designations

6. The spatial configuration of Natura 2000 sites and other environmental designations and their relationship with the proposed development are presented and assessed in Chapter 7, Volume 2 of the EIAR and the separate Appropriate Assessment Screening & Natura Impact Statement submitted with this application for permission

4.1.2 Cultural Heritage

7. 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.

8. This structure formed the end of the 19th Century Eastern Breakwater which marked the end of the eastern extremity of Dublin Port during that era. The pier head of the Eastern Breakwater is required to be demolished as part of the proposed development to facilitate the lengthening of Berth 50A and works are also proposed to the remainder of the structure as described in Chapter 3, Volume 2 of the EIAR.

9. A second entry is also listed in the record, DCIHR 19-09-003 Breakwater Lighthouse, however this structure was removed c.20 years ago.

10. Proposals to commemorate the historic development of the port and its evolution are included within the application for permission. These proposals are further detailed in the Industrial Heritage Impact & Compensation Planning & Design Report prepared by MOLA Architects included as part of this application.

4.2 Planning History Relevant to the Proposed Development

4.2.1 Subject Site

11. The planning history of the application site is set out below and illustrated in **Figure 4-4**. There have been a number of approvals for development and upgrading of facilities within Dublin Port some of which are completed, under construction or about to commence works. The most relevant planning history for the site is listed below.

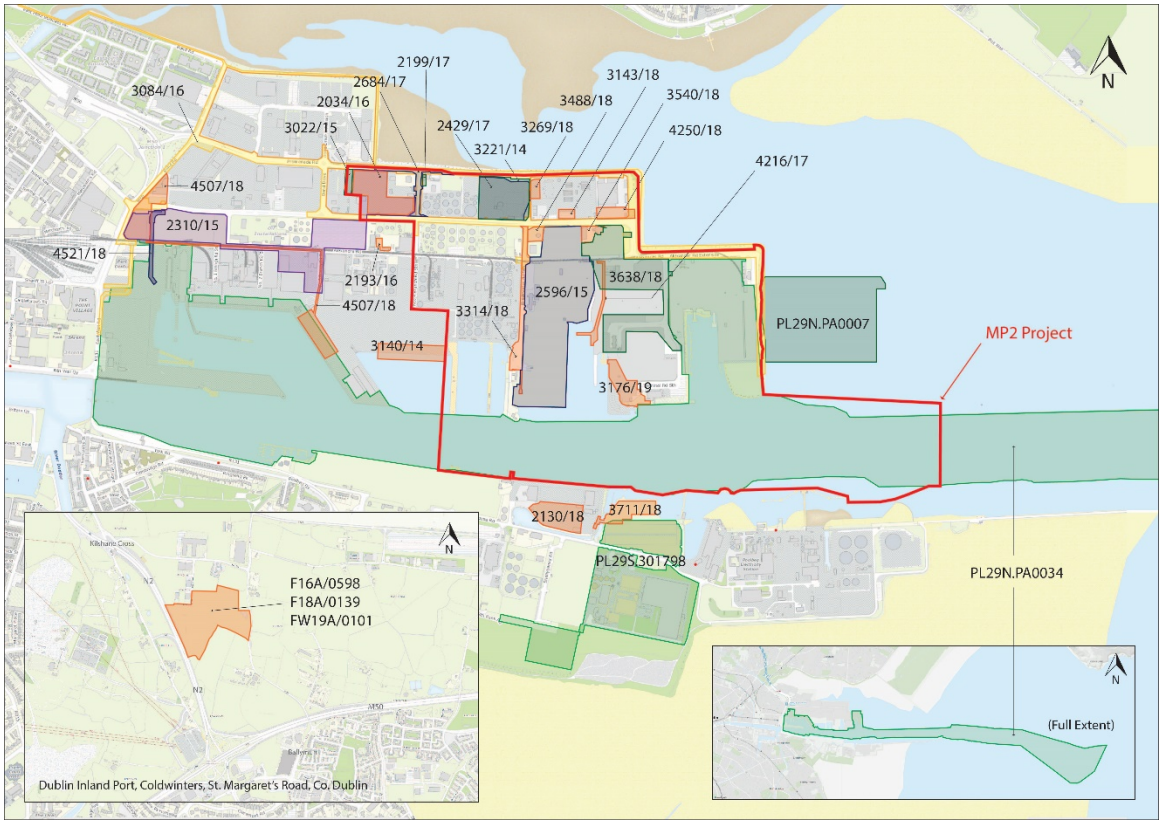

Figure 4-4: Dublin Port MP2 Project Planning History
Source: Based on Dublin City Council Planning Register

4.2.1.1 Dublin Gateway Project – Reference PL 29N.PA0007

12. DPC sought permission under Board Ref. 29N.PA0007, a SID, for the Gateway Project, which consisted of an extension of 21 hectares of landfill to the east of the port to provide for both additional open container storage, handling areas, new quayside facilities and berth. The application was refused permission by the Board in 2010 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*
> *a) The significance of the permanent loss of wetland habitat from the pSPA arising from the proposed development has not been clearly or adequately established,*
> *b) 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*
> *c) the significance of the development site for use by bird species that are qualifying interests for the pSPA has not been clearly established, and*
> *d) the significance of the permanent loss of the benthic food resource as a result of the proposed development has not been adequately established.*
> *Accordingly, An Bord Pleanála 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."*

4.2.1.2 ABR Project – Board Ref. PL 29N.PA0034

13. DPC was granted permission subject to conditions on 8th July 2015 for the redevelopment of Alexandra Basin and Berths 52 and 53 together with associated works in Dublin Port and the dredging of the Liffey approach channel, under section 37E of the Planning and Development Acts, a SID. 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. Each element is summarised as follows

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.

14. This approval is now being implemented by the DPC. The relevant part of the site layout plan to the subject site is illustrated in **Figure 4-5**.

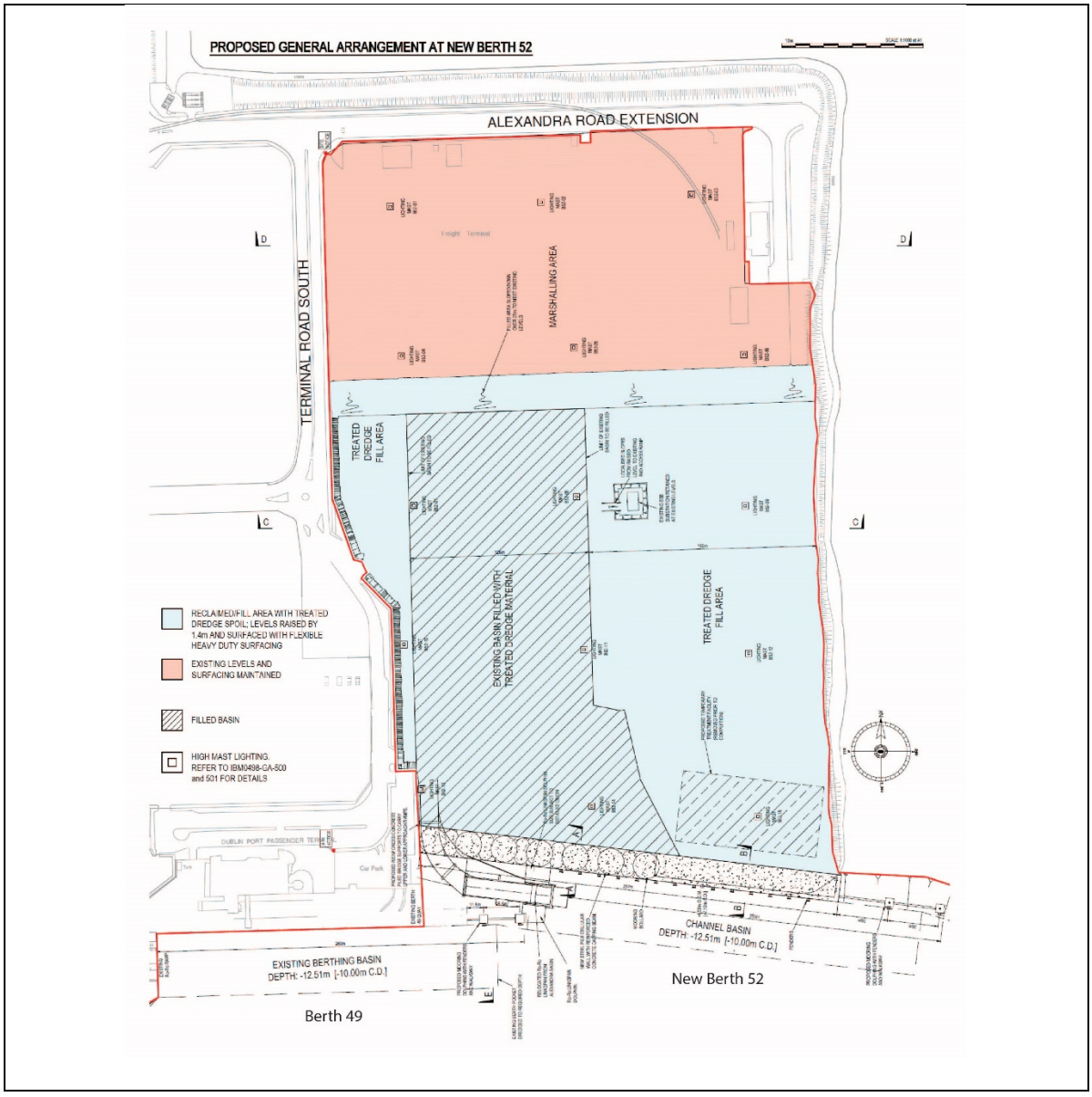

Figure 4-5: ABR Project Berth 52 – Ref. PL29N.PA0034
Source: Based on Board Ref. PL29N.PA0034 Drawing IBM0498-GA-017

4.2.1.3 Dublin Port Internal Road Network – Reg. Ref. 3084/16

15. DPC was granted planning permission on 14th September 2016 for the 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:

- Construction of new roads and enhancements to existing roads within the Dublin Port estate north of River Liffey;
- Construction of enhanced landscaping and amenity route along the northern boundary;
- Construction of new pedestrian and cycle overbridge and underpass at Promenade Road;
- 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;

- Construction of minor works to the junctions of East Wall Road with Tolka Quay Road and East Wall Road with Alexandra Road.

16. An amendment to this planning permission was granted under Reg. Ref. 2684/17 in July 2017. This development is now being implemented by the DPC. The site layout plan is illustrated in **Figure 4-6**.

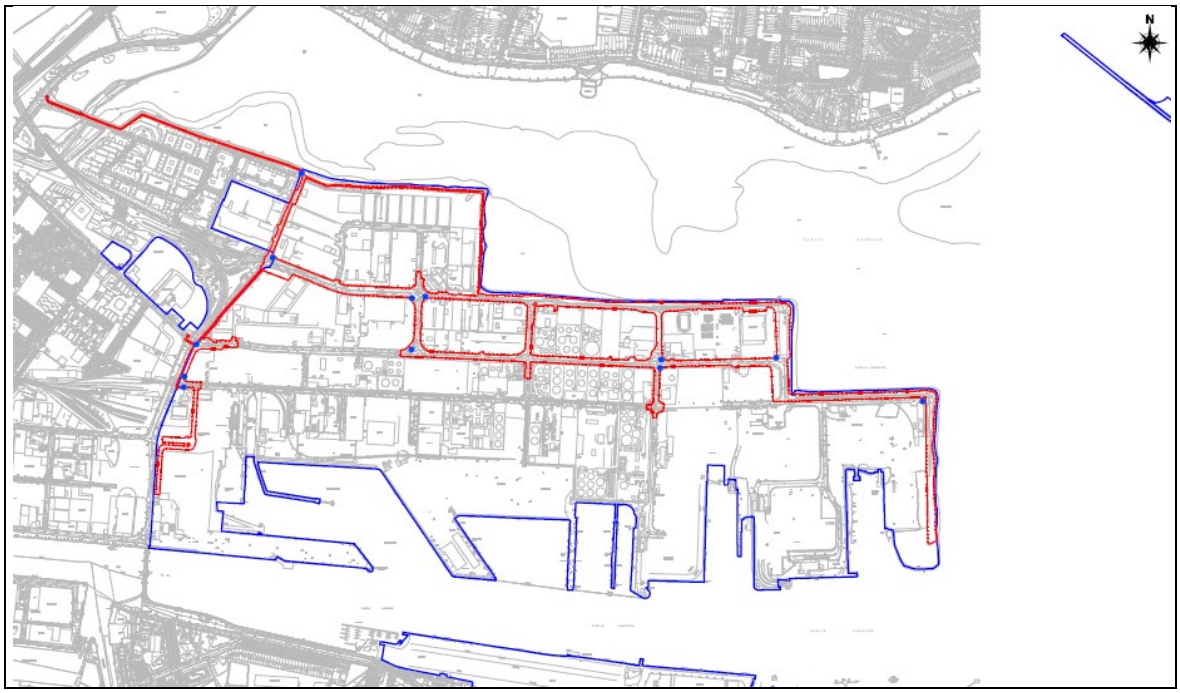

Figure 4-6: Permitted Dublin Port Internal Road Network
Source: Based on Dublin City Council Reg. Ref. 3084/16

4.2.1.4 Other Planning Permissions within the Subject Site

17. A number of other planning permissions have been secured from Dublin City Council within the subject site. The locations are illustrated on **Figure 4-4** and summarised in **Table 4-1** below.

Table 4-1: Planning History

Planning Ref	Summary of Development
3221/14	**Topaz** Topaz Energy Ltd was granted planning permission on 14th November 2014 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. The development will be an Upper Tier Seveso site and comes within the meaning of Part 11 of the planning regulations.
2310/15	DPC was granted planning permission on 8th July 2015 for the development will consist of 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

Planning Ref	Summary of Development
	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.
2596/15	**Breakwater Road South** DPC was granted planning permission on 10th July 2015 for 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.
3022/15	**Promenade Road** DPC was granted planning permission on 4th September 2015 for the development will consist of: (a) the removal of a vehicular gate fronting Promenade Road, Dublin Port, Dublin 3 and replacement with 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 re-enforced concrete surfacing and new replacement drainage and water system and associated ancillary works.
2034/16	**Branch Road North** DPC was granted planning permission on 13th April 2016 for 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
2199/17	**Tedcastle Operations building and Substation** Tedcastles Oil Products were granted planning permission on 18th August 2017 for the construction of a two-storey 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. These and any associated development and works to be undertaken at Yard 1, Promenade Road, Parish of Saint Thomas, Dublin Port, Dublin 1, which is a SEVESO site.
2429/17	**Demolition of buildings and Provision of Yard** DPC was granted planning permission on 11th September 2017 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 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. The subject site is to the northwest of the MP2 site boundary. This approval is now being implemented by the Dublin Port Company.
4216/17	**Floating Dock Section** DPC was granted planning permission on 16th February 2018 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. This approval has been implemented.
3143/18	**Vehicle service/maintenance facility and office accommodation** DPC was granted planning permission on 31st August 2018 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 storey 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 directly to the north of and adjacent to the MP2 site boundary. This application has not yet been implemented.

Planning Ref	Summary of Development
3314/18	**Dublin Ferryport Terminals Access** DPC was granted planning permission on 18th September 2018 for the upgrade of access to the Dublin Port Operations Centre and the Dublin Ferryport Terminals (DFT). This application is being implemented
3540/18	**Demolition of Calor Offices and Provision of Yard** DPC was granted planning permission on 18th October 2018 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. This approval has been implemented.
3269/18	**Yard Upgrade** DPC was granted planning permission on 6th November 2018 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 fire wall on the eastern boundary and; a 5m sliding gate as fire access on the south eastern 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. This application has not yet been implemented.
3488/18	**Asahi demolition and Provision of Yard** Dublin Port Company was granted planning permission on 14th November 2018 for the demolition of redundant storage tank including associated pipework and general site clearance. The area is to be hard surfaced to provide a yard for storage across the extent of the site. CCTV poles, new lighting and a new 4m high security fence on all boundaries is proposed. The development also includes the closure of the existing site access and provision of a 12m wide sliding gate access on Breakwater Road North. This development has not yet commenced.
3638/18	**Interim Unified Passenger Terminal** DPC was granted planning permission on 15th January 2019 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. This application is being implemented.
4250/18	**ESB Substation Demolition and Provision** DPC was granted planning permission on 6th June 2019 for the 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. This development has not yet commenced
3176/19	**Ramp and Approachway to Berth 49** DPC submitted a planning application on 4th June 2019 for the development of an additional approach and ramp in addition to office and staff facilities building at Berth 49. This is currently being assessed by Dublin City Council.

4.2.2 Developments in the Surrounding Area

18. There are several existing and/or approved projects in the vicinity which have been identified that have the potential to interact with the MP2 project. These are listed in **Table 4-2** below.

Table 4-2: Planning History in the Surrounding Area

Planning Ref	Summary of Development
3140/14	**Ship to Shore Gantry** Burke Shipping Group was granted planning permission on 22nd October 2014 for a ship to shore (STS) gantry crane and all ancillary works. The approval has been implemented.
2193/16	**Lagan Bitumen Site** Doyle Shipping Group was granted planning permission on 11th May 2016 for the refurbishment of an existing 5-storey office building including new external facade insulation and cladding system, elevation alterations, roof plant and roof plant screening, building mounted signage, demolition of an existing one storey side extension and sundry associated works.
2130/18	**Pigeon House Road** Hammond Lane Metal Company Ltd was granted planning permission on 30th March 2018 for the demolition of existing two-storey administration building (534sq.m); construction of a new two-storey building (563sq.m) containing an administration area, staff facilities and a non-ferrous metals recovery area; 2 no. 18m long weighbridges; 1 no. dry wheelwash; car parking; all associated site development works all on a site of 1.79 ha. This application relates to a development which comprises an activity for which an Industrial Emissions License under Part IV of the EPA 1992 (as amended) is required.
PL29S.301798	**Ringsend Wastewater Treatment Plant** Irish Water was granted planning permission for strategic infrastructure development to further progress the upgrade of the Ringsend Wastewater Treatment Plant (WwTP) on 24th April 2019. The permission provides for works required to facilitate the use of Aerobic Granular Sludge (AGS) technology, to omit the previously permitted long sea outfall tunnel and to upgrade the sludge treatment facilities at Ringsend, Dublin 4, and to provide for a Regional Biosolids Storage Facility in Newtown, Dublin 11. The proposed development at Ringsend is to the south of the MP2 site boundary, south of the River Liffey.
4507/18	**Cruise Ship Turnaround Facilities** DPC was granted temporary planning permission on the 25th April 2019 for 5 years for facilities to cater for cruise ship operators to include: a marquee (c.2,250sq.m) 8m in height, 300 car parking spaces, bus and car drop off area, fencing 2m in height, mini-roundabout, 6m access off Tolka Quay Road and all associated site development works at Tolka Quay Road; and; a marquee (c.1750sq.m) c.8m in height at Ocean Pier. The approval has been implemented
4521/18	**Terminal 4 Bridge** DPC was granted planning permission on the 10th May 2019 for a 150m long, 13m wide two lane vehicular bridge with access ramps over Alexandra Road connecting the CDL yard and Terminal 4, associated lighting columns of up to 8m in height and all associated site development works. The subject site is to the west of the MP2 Project site boundary. This application has not yet been implemented
3711/18	**Berth 47A Pigeon House Road** DPC are seeking planning permission for development that will consist of: construction of a bridge to span the existing cooling water outfall channel, adjacent to Pigeon House Road; construction of a new junction opposite the entrance to the Ecocem Ireland Plant; hard surfacing; site drainage and outfall; the use of lands for the storage of port-related maintenance and service equipment, construction project materials, contractor's site compound and project cargo; amendments to boundaries; and all associated services and site development works. This is currently being assessed by Dublin City Council.
F16A/0598	**Dublin Inland Port** DPC was granted planning permission by Fingal County Council on 23rd April 2017 at Coldwinters, St Margaret's, County Dublin for development of a 40m access road off Maple Avenue; a gated entrance incorporating two large feature walls of 6m in height; installation of a landmark container sculpture at the new entrance; the erection of a 3m palisade security boundary fence; signage; and new external lighting.

Planning Ref	Summary of Development
F18A/0139	On 25th January 2019 DPC was granted planning permission by Fingal County Council for development for an extension to internal access road from Maple Avenue with associated works including public lighting and the development of 2 no. plots generally for industrial, warehouse, storage and logistic use.
FW19A/0101	Dublin Port Company applied for planning permission to Fingal County Council in June 2019 for the development of Plot 8 for storage and logistic use comprising stacked shipping container storage and ancillary uses. This planning application is currently being assessed by Fingal County Council.

19. DPC has been able to review and take on board issues raised by Dublin City Council, the Board, other prescribed authorities and interested bodies in respect of the development projects and proposals listed above.

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

20. In February 2019, the Minster for Public Expenditure and Reform, in advance of the impending withdrawal and/or the withdrawal of the United Kingdom from the European Union on 29th March 2019, 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.

21. 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, DO1 AH31.

22. Both of these sites are located within the application boundary for the proposed MP2 development. It should be noted that the MP2 Project does not propose development at the former Crosbie's Yard site, however, temporary works are proposed at the Former Storecon site, to be used as a temporary construction compound when the site is not occupied by the Office of Public Works. In these circumstances, the potential cumulative impacts of the works authorised pursuant to the Order, in combination with the works the subject matter of the application for permission in respect of the MP2 project, have been assessed in both the EIAR, AA Screening and NIS.

5 PROPOSED DEVELOPMENT

5.1 Description of the Proposed Development

1. 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 the now virtually redundant Oil Berth 4 on the Eastern Oil Jetty.
- The redevelopment and future-proofing of Oil Berth 3 as a future deep water container berth for the Container Freight Terminal. The future-proofing will facilitate the change of use of the berth from petroleum importation to container handling when the throughput of petroleum products through Dublin Port declines as a result of national policies to decarbonise the economy.
- 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.

2. The proposed development is detailed in the statutory notices and described in Chapter 3, Volume 2 of the EIAR.

3. The proposed site layout plan is provided in Drawing no CP1770-BLP-ZZ-ZZ-M2-MA-0005 prepared by Atkins Byrne Looby Consulting Engineers. An extract from the Proposed Site Layout Plan is reproduced in **Figure 1-3**.

4. The works required to achieve these elements are outlined in the paragraphs that follow and are set out in further detail in Chapter 3, Volume 2 of the EIAR.

Berth 53

5. 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 53. The development will also consist of the:

- 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; and;

- 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.

6. Berth 53 will be used predominantly for the berthing of Ro-Ro ferries and will accommodate ferries up to 240m in length. Proposed Berth 53 is illustrated in **Figure 5-1**.

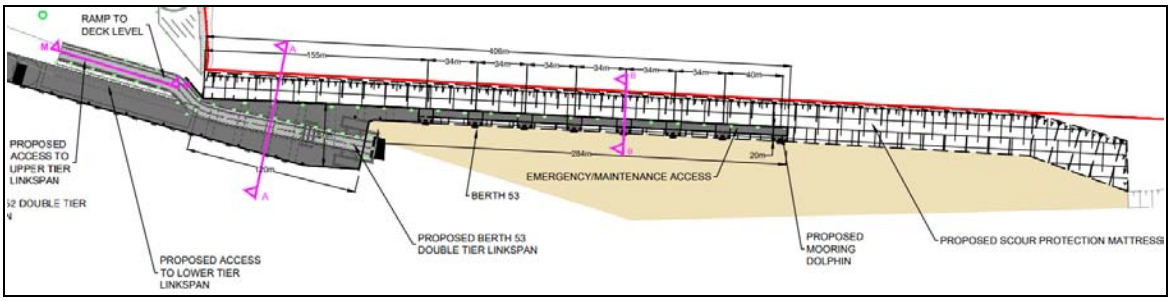

Figure 5-1: Plan View of Proposed Berth 53

Source: Drawing no CP1770-BLP-02-ZZ-M2-MA-0100 prepared by Atkins Byrne Looby Consulting Engineers

Berth 52

7. Berth 52 was granted permission under An Bord Pleanála Ref. PL29N.PA0034. As a result of the proposed development of Berth 53, permitted Berth 52 requires repositioning. This repositioning allows Berth 53 connectivity with the port lands, minimises its length and maximises the buffer between Berth 53 and the boundary of the South Dublin Bay and River Tolka SPA. The design evolution of Berth 53 is described in Chapter 4 Volume 2 of the EIAR. 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.

8. Berth 52 will be used predominantly for the berthing of Ro-Ro ferries. The berth will accommodate the bow-to and stern-to berthing of a wide range of ferries up to 240m in length. Proposed modifications to Berth 52 are illustrated in **Figure 5-2**.

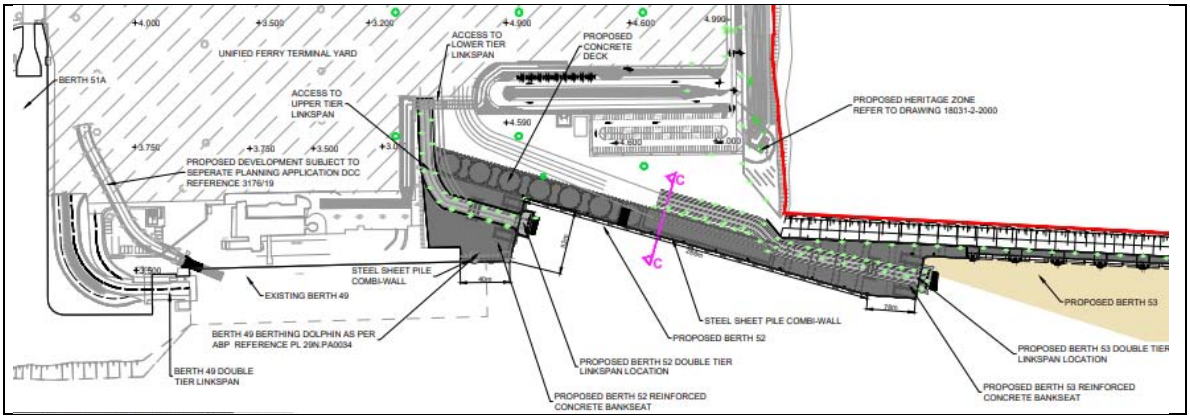

Figure 5-2: Plan view of Modified Berth 52

Source: Drawing no CP1770-BLP-02-ZZ-M2-MA-0200 prepared by Atkins Byrne Looby Consulting Engineers

Berth 50A, Oil Berth 03 and Oil Berth 04

9. 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 a 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 (2,950sq.m) (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);
- Re-decking of Jetty Road;
- Construction of a circa 2m high wall as a separation boundary between the Container Freight Terminal and Oil Berth 3;
- High mast lighting (30m);

10. Extension to existing Berth 50A will provide a multi-purpose predominately Lo-Lo Container Vessel berth. Consolidation of operations at the Eastern Oil Jetty will facilitate multi-purpose berthing at Oil Berth 3. The Proposed Site Layout Plan and typical cross section are illustrated in **Figures 5-3** and **5-4.**

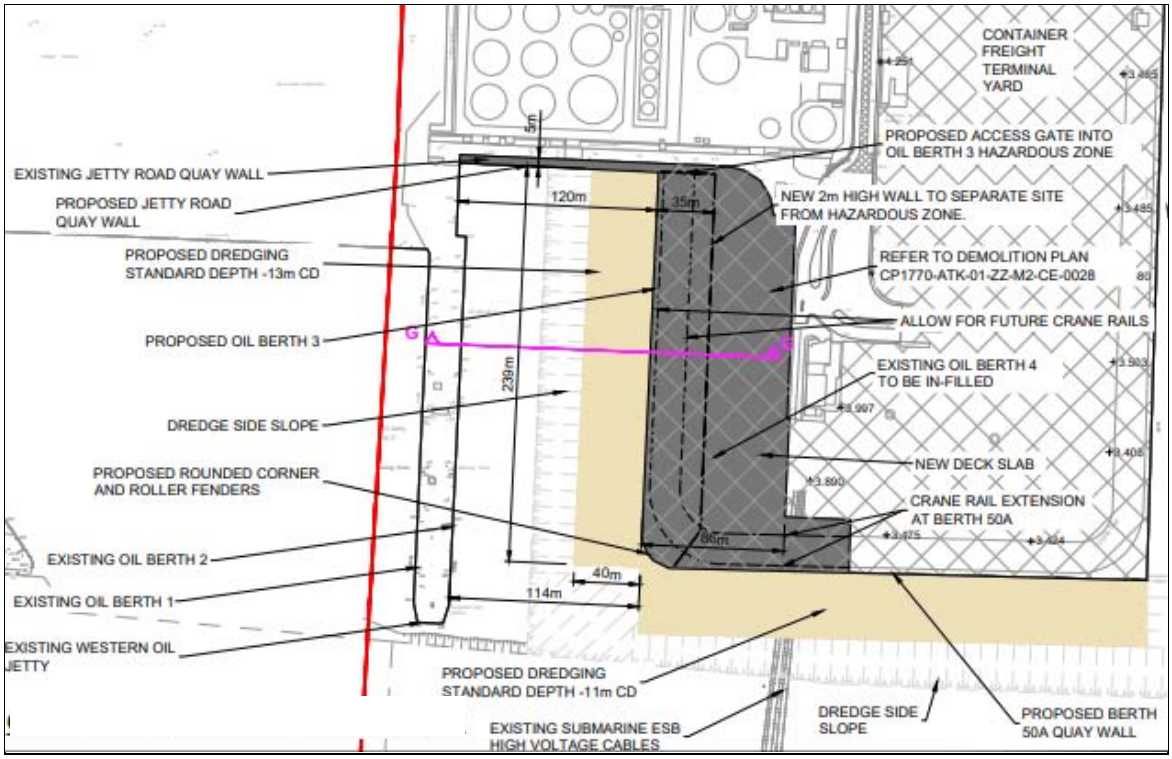

Figure 5-3: Plan View of Proposed Extension to Berth 50A, Redesigned Oil Berth 03 and Infilling of Oil Berth 04 Basin

Source: Drawing no CP1770-BLP-03-ZZ-M2-MA-0301 prepared by Atkins Byrne Looby Consulting Engineers

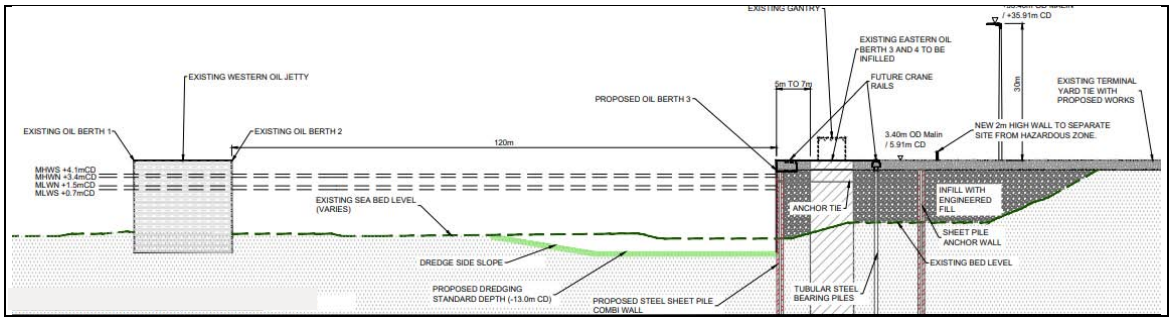

Figure 5-4: Cross Section G-G Proposed Oil Berth 03 and Infilling of Oil Berth 04 Basin

Source: Drawing no CP1770-BLP-03-ZZ -M2-MA-0301 prepared by Atkins Byrne Looby Consulting Engineers

Dredging & Disposal Works

11. The navigation channel has permission to be deepened from -7.8m CD to -10.0m CD under the ABR Project (Ref. 29N.PA0034). The capital dredging scheme for the ABR Project commenced in October 2017 with dredging activity taking place within the navigation channel and fairway within Dublin Bay. The ABR Project capital dredging of the section of navigation channel adjacent to the proposed MP2 Project channel widening is scheduled for the winter season October 2020 – March 2021.

12. The navigation channel has permission to be deepened from -7.8m CD to -10.0m CD under the ABR Project (Ref. PL29N.PA0034).

13. 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. Widening will be carried out via dredging works. The standard depth of the channel will be -10.0m CD. The estimated overall volume of capital dredging required from the channel and berthing basins is 424,644cu.m. The dredge and disposal of material is presented in

Chapter 3, Volume 2 of the EIAR. The loading and dumping of the dredged material will be subject to separate consents; a Foreshore Licence is required from the Department of Housing, Planning and Local Government (DHPLG) and a Dumping at Sea Permit is required from the Environmental Protection Agency (EPA).

Unified Ferry Terminal

14. It is 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 Seatruck operation in this area will be relocated to the western end of the port.

15. 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. In order to improve efficiency and optimise the Ro-Ro yard area it is proposed to relocate all public access to the perimeter of the site leaving the internal area free for unified port operations. Upon the completion of the proposed MP2 Project this area will comprise approximately 34.4 hectares of hardstanding space. The area will be flexible as the usage of the port evolves and will generally be split into staging areas for accompanied heavy goods vehicles (HGVs), accompanied cars and unaccompanied trailers. Circulation routes will be provided to route vehicles from the check in area to each staging area and from each staging area to the berths. Routes will also be provided to route vehicles from the berths back to the unaccompanied staging area and to the exit via the state services yard.

16. In order to facilitate the proposed Unified Ferry Terminal it is necessary to demolish existing structures within the site, totalling c.3,576sq.m. Demolitions to be undertaken as part of MP2 Project include Terminal 2 Building, Terminal 5 Building, Terminal 5 check-in, Terminal 5 sheds (3 no.), Terminal 1 car check in booths and a number of other structures.

17. In addition to the proposed demolition of existing structures the proposed development will include provision for access upgrades to the Unified Ferry Terminal yard and re-grading and provision of reinforced terminal yard. Supporting ancillary infrastructure will include check-in booths, toilet blocks, gantry signage, bus shelter, footpaths, pedestrian underpass to terminal building, gateway to greenway, passenger walkway plant for vessels berthed at Berths 51 and 52, approach ways and ramps to vessels; ESB substation, high mast lighting (30m), 4m high ISPS fence, car and bicycle parking, bus and car drop-off facilities and a heritage installation.

18. A site plan of the proposed land elements of the works is presented in **Figure 5-5.**

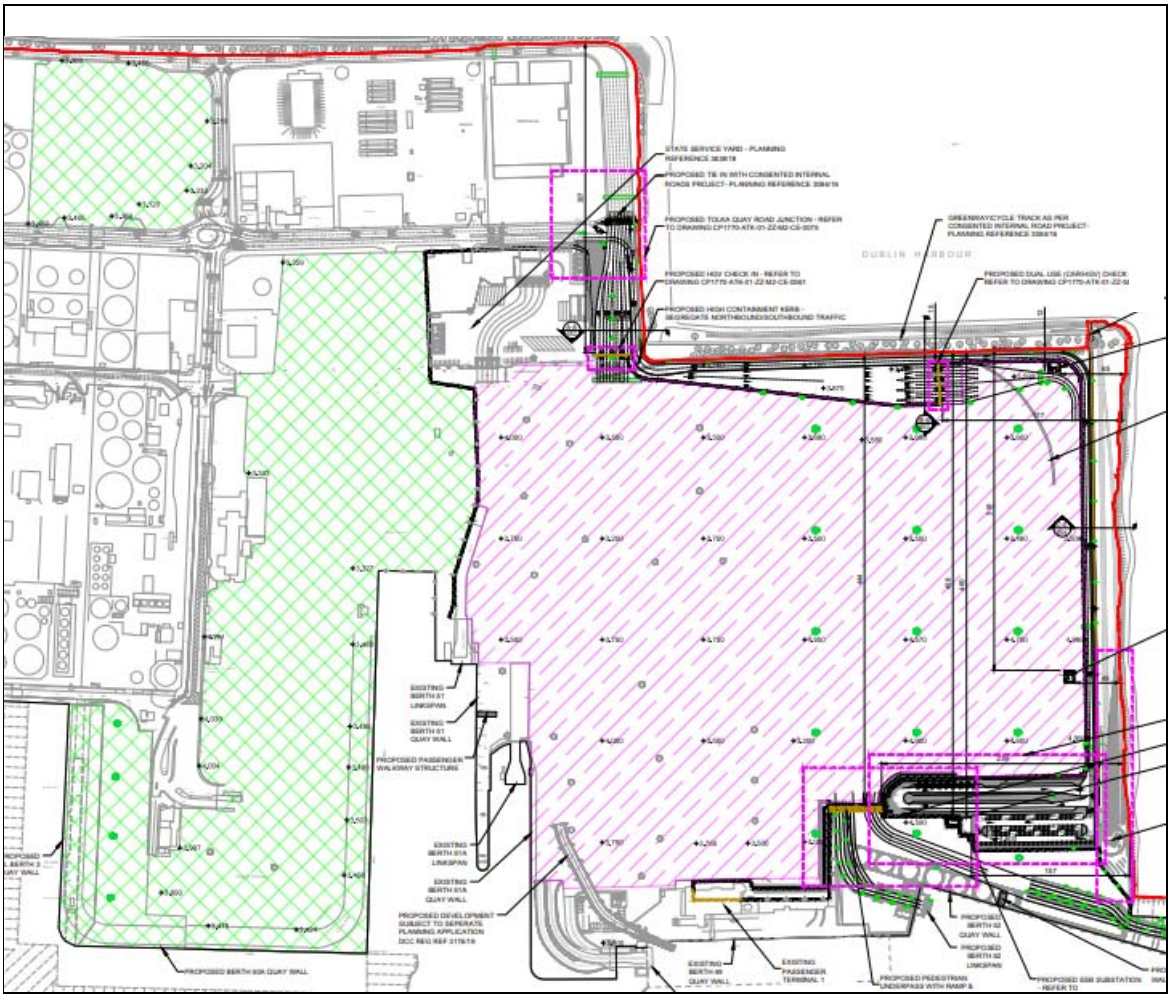

Figure 5-5: Site Plan of the Proposed Landside Elements
Source: Drawing no CP1770-ATK-01-ZZ-M2-CE-0001 prepared by Atkins Byrne Looby Consulting Engineers

19. Utilities required to facilitate the terminal land include:

- **Watermain**: The existing watermain will be extended to Berth 52 and Berth 53. Facilities will be provided for freshwater bunkering at these berths. Irish Water confirmed that it is feasible to provide the required additional water demand to facilitate the proposed development. This confirmation is provided in Appendix 5 Volume 3 of the EIAR.
- **Wastewater Drainage**: A gravity sewer is proposed to link the proposed toilet blocks to the existing gravity sewer serving Terminal 5 (which is to be demolished). The existing toilet provision at Terminal 1 Building is considered adequate for the proposed use. It is not anticipated that there will be any increase in the peak wastewater discharge to the public sewer as a result of the development.
- **Stormwater Drainage**: There is limited additional hardstanding area proposed within the Unified Ferry Terminal to that already in place and that consented under the ABR Project. The additional hardstanding is due to the proposed Berth 53. It is proposed to collect storm water on the new hardstanding areas in a closed system and discharge via a new silt trap and oil interceptor/separator to the outfall at Berth 52 as consented as part of the ABR Project. This approach has been agreed in principal with Dublin City Council. Refer to Appendix 5 for a record of correspondence on same.
- **Electrical**: It is proposed to provide a new substation to the South East corner of the Unified Ferry Terminal to facilitate the additional power demand of the proposed Unified Ferry

Terminal and to replace the loads provided by two existing substations within Terminal 5 which are proposed to be demolished. The new substation will also facilitate Shore to Ship Power (SSP) for Berth 52 and 53 to provide required hoteling power demand of berthed vessels. Each berth will be equipped with the required transformer within the new substation building which will serve as galvanic separation between harbours electric grid and the vessels electric system. The substation will link to a power outlet at Berth 52 and Berth 53 to facilitate a connection to berthed vessels. Preliminary consultations with ESB have indicated that they can provide the required level of capacity to feed this sub-station from their existing network, with MV cables uprated locally where required.

- **Communication Network**: It is proposed to install ducting to link the proposed development areas back to the existing communications network within the port.

Operational Terminal Yard

20. As stated, in order to improve efficiency and optimise the Ro-Ro yard area it is proposed to relocate all public access to the perimeter of the site leaving the internal area free for unified port operations. Once operational departing vehicles will arrive to the new Unified Ferry Terminal via Promenade Road and the Promenade Road Extension to be constructed as part of the Dublin Port Internal Roads Project (Reg. Ref. 3084/16). A diagram of the proposed departure route is presented in **Figure 5-6**. As part of the Dublin Port Internal Roads Project (consented under Reg. Ref. 3084/16), there are seven southbound lanes proposed to link the Promenade Road Extension to the entrance to the Unified Ferry Terminal at Alexandra Road. There are also four north bound lanes to link arrivals from Unified Ferry Terminal to Tolka Quay Road.

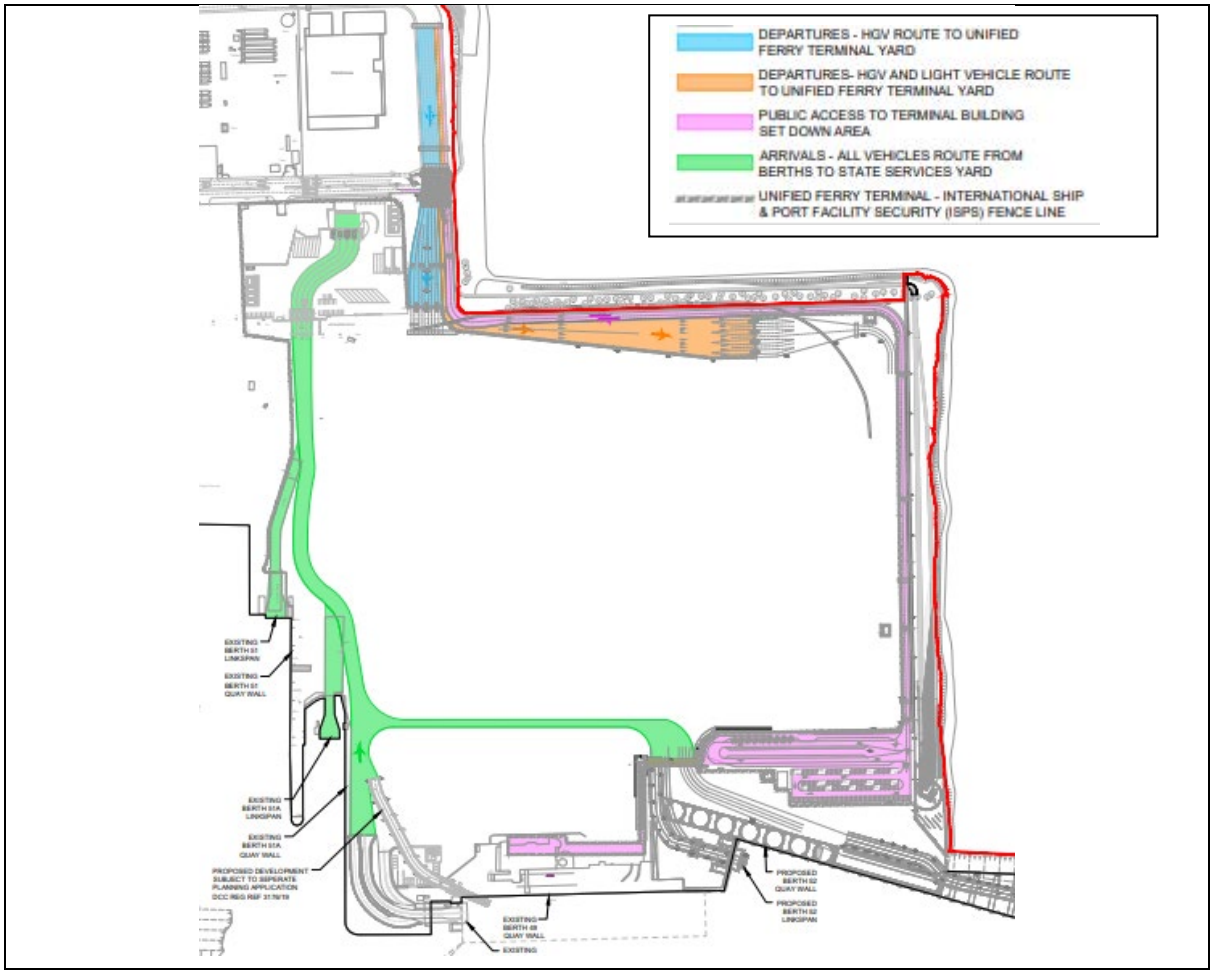

Figure 5-6: Proposed Departure Routes

Source: Drawing no CP1770-ATK-01-ZZ-M2-CE-4001 prepared by Atkins Byrne Looby Consulting Engineers

- Heavy Goods Vehicles (HGV) check-in will be facilitated by a 6-lane HGV check-in facility at Alexandra Road and a dual use 8-lane check in facility towards the north east corner of the site. As the port traffic increases, evolving technology will reduce the target check-in times to reduce potential queuing. Additional pre-check-in staging areas for HGVs will be provided elsewhere within the port if required. The proposed check-in areas include new double-sided check-in booths with a canopy provided above for cover. It is proposed to provide 3no. new booths to service the 6no. dedicated HGV check-in lanes and an additional 4no. booths to service the 8no. dual use lanes.
- Car/tourism vehicle check-in will be facilitated at the new 8-lane dual use (HGV and light vehicle) check-in facility at the north eastern corner of the site. Gantry signage will be used to designate lanes and separate cars and HGVs queuing in this area. The queue lengths have been estimated for various scenarios, based on anticipated traffic, booth numbers and check-in times. The design ensures that adequate space is available to facilitate the car/tourism pre-check-in queue in line with the guidance on the COMAH Land Use Planning Assessment prepared by Byrne Ó'Cléirigh Consulting Engineers and is discussed in Chapter 6, Volume 2 of the EIAR.
- The existing Terminal 1 building will facilitate foot passengers for all berths. Access to the building will be via the proposed public road which runs around the northern and eastern perimeter of the Unified Ferry Terminal outside of ISPS restricted area. A cycle track is also provided in this area which links with the cycle facilities proposed under the Dublin Port Internal Roads Project (consented under Reg. Ref. 3084/16). A set down area for both cars and buses together with parking facilities are provided outside the south-east corner of the Unified Ferry Terminal. Access from this point to the building will be on foot with a pedestrian underpass beneath vehicle movements associated with Berths 52 and 53. Foot passengers will use the existing check-in facilities to cross into the ISPS restricted area within the building. Access to ships on Berth 49 will be available directly from the building with access to vessels on other berths by bus from the building. For Berths 51 and 53 the bus will drop passengers off within the vessel and the busses will drop off at passenger walkway structures for Berths 51 and 52.

21. A new State Services facility is permitted as part of the Interim Unified Ferry Terminal (IUFT) Project (Reg. Ref. 3638/18) to the north of the Unified Ferry Terminal. All vehicles disembarking vessels will be required to depart the port via this area where checkpoint and inspection facilities are provided for An Garda Síochána, Revenue and the Department of Agriculture, Food & Marine.

22. At the conclusion of the MP2 Project this area will comprise approximately 34.4 hectares of hardstanding space (35.8ha inclusive of State Services Yard). The area will be flexible as the usage of the port evolves and will generally be split into staging and marshalling areas for accompanied heavy goods vehicles (HGVs), accompanied cars and unaccompanied trailers with circulation routes indicated to route vehicles to each zone and to and from the berths. An operational layout of the Unified Ferry Terminal is provided in **Figure 5-7** which illustrates how circulation within the ISPS restricted area can be managed with a narrative provided thereafter.

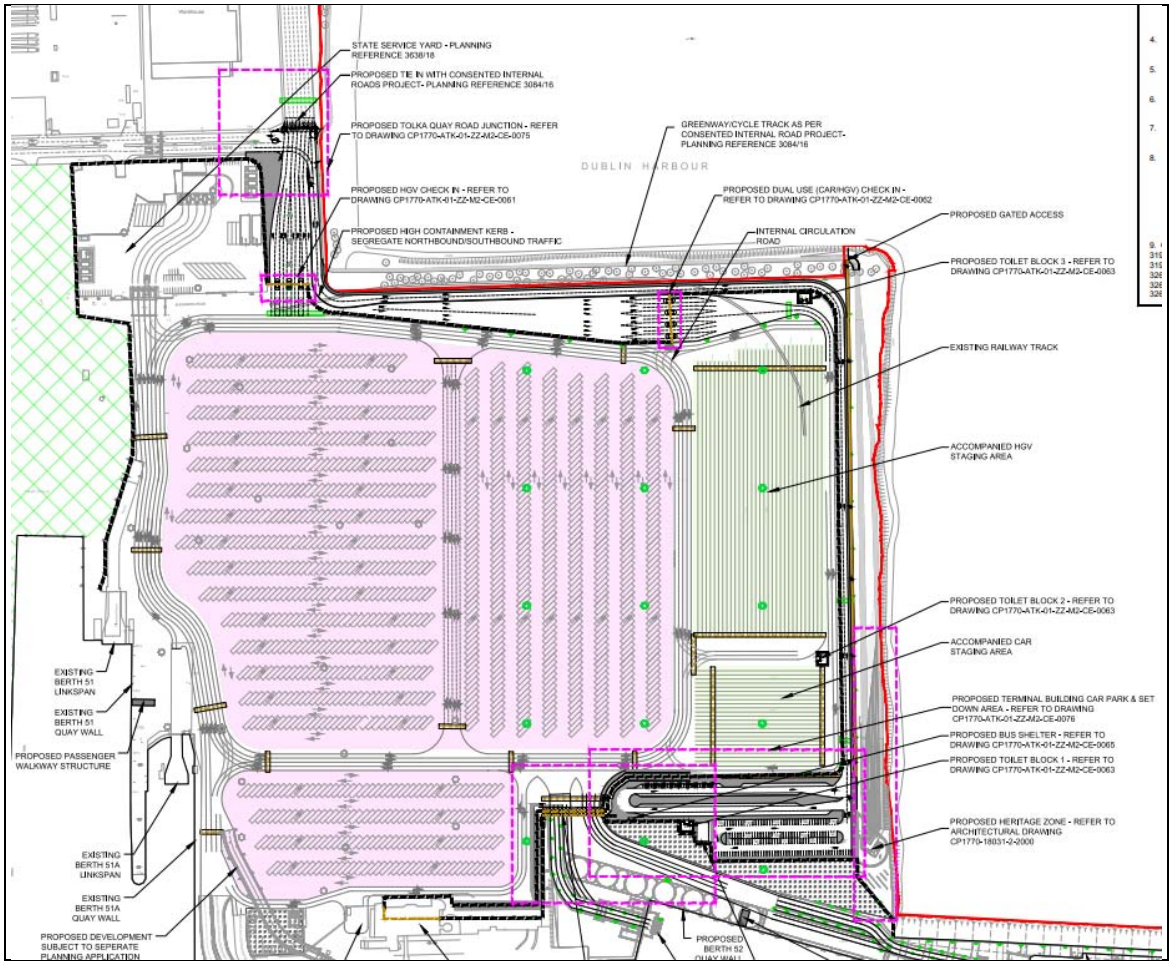

Figure 5-7: Operational Layout of Unified Ferry Terminal
Source: Drawing no CP1770-ATK-01-ZZ-M2-CE-0002 prepared by Atkins Byrne Looby Consulting Engineers

23. Following check-in for departure from Dublin Port:

- Accompanied HGVs will be routed through internal circulation roads to a dedicated HGV pre-boarding holding area to await departure. In this area, a route will be available to facilities in the terminal building via the proposed pedestrian underpass. Once called from the holding area the HGVs will be routed through the internal circulation roads to the relevant ship for boarding.
- Unaccompanied HGVs will be directed through internal circulation routes to the relevant unaccompanied HGV staging area. Each HGV will be routed to the relevant set down space and drop off the HGV trailer before the HGV tractor unit will leave the port. The trailers will be collected by port tractor units and moved onto the relevant ship for departure.
- Following check-in, accompanied cars will be routed through the internal circulation routes to the dedicated car staging area to await departure. Access to facilities within the terminal building will be available from this area through the proposed pedestrian underpass which will maintain all accompanied passengers within the ISPS restricted area. Once called by the operator the vehicles will be routed to the relevant berth to board for departure.

24. Following disembarking from vessels arriving at Dublin Port:

- Accompanied vehicles will be unloaded from the ships and directed through internal circulation routes to the State Services yard. **Figure 5-7** illustrates how internal circulation could be provided with flexibility in mind to ensure it is possible to re-route vehicles arriving

on the ships through the Unified Ferry Terminal to reach the back of any arrivals queue in the event of a delay in the State Services yard. Indicative lanes within the pre-boarding staging areas may also be used to hold arrival vehicles if required in the event of a significant delay.

- Unaccompanied units will be unloaded by port tractors to a designated unaccompanied trailer holding area. The articulated tractors collecting the vehicles will enter the port through the HGV check in lanes and route to the relevant unaccompanied staging area and collect the relevant trailer. The HGV tractor and trailer unit will then exit via the State Services yard.
- Foot passengers will be transported back to the terminal by bus (and walkway from Berth 49). They will exit the ISPS restricted area through the checkpoint for An Garda Síochána; Revenue and the Department of Agriculture, Food & Marine. They will then walk through the public side of the pedestrian underpass to access the pick-up and public transport facilities available at the set down and parking area. Vehicles departing will then pass along the public perimeter road on the north and east boundary of the Unified Ferry Terminal and cross the HGVs queuing pre check in to join the main port exit route on Tolka Quay Road.

Interpretative Heritage Installation

25. The proposed development includes for the demolition of the Pier Head on the Eastern Breakwater (DCIHR 19-09-002) in order to facilitate the extension to river Berth 50A. Historically, the Eastern Breakwater was the extreme eastern point on the north side of the port and the original entrance to the port's deepwater basin, The Pier Head is defined by an angled roundel formed in granite which once supported a light house, this lighthouse has since been removed. This breakwater is attributed to Port Engineer Binden Blood Stoney. It is expected that elements of the original Eastern Breakwater exist under Breakwater Road, and that these elements will survive *in situ* beneath Berth 50A. The significance of the industrial heritage feature is detailed in the *Conservation Strategy and Industrial Heritage Appraisal* prepared by Southgate Associates and Chapters 5 and 14, Volume 2 of the EIAR.

26. To commemorate the Eastern Breakwater Pier Head, its location will be marked with inscribed commemorative text, to ensure that there is a permanent in situ record of its former presence.

27. As part its *Soft Values Project Strategic Framework*, DPC proposes to create an interpretive heritage zone to accommodate an architectural installation marking the evolution of the port's development and its easternmost point of the port on the north side of the Liffey Channel at the end of the permitted Port Greenway (Ref. Ref. 3084/16). The proposed location for this zone is illustrated in **Figure 5-8**.

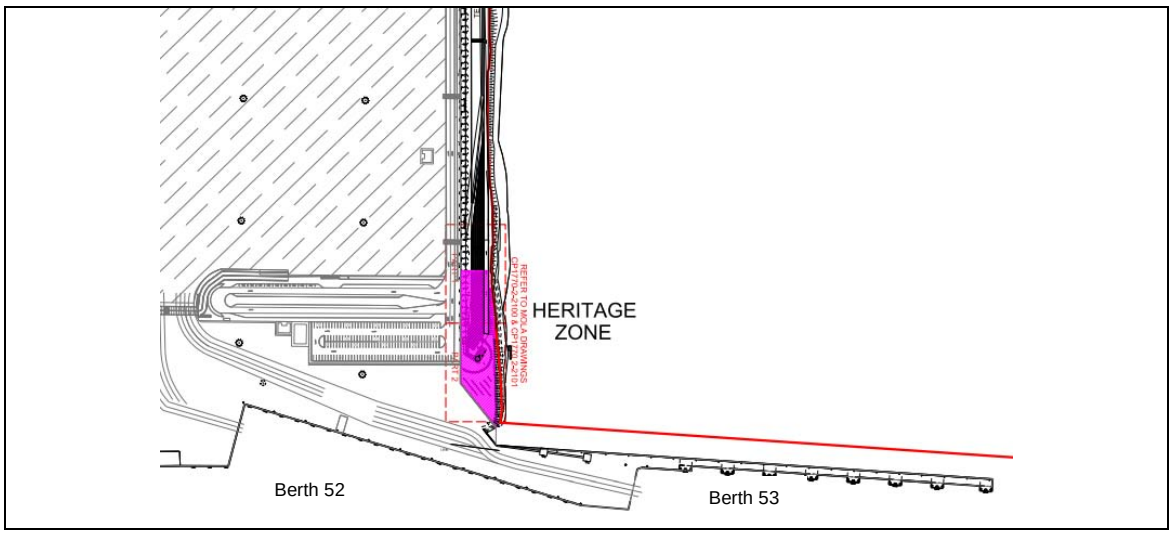

Figure 5-8: Proposed Location of the Interpretative Heritage Zone
Source: Drawing no 2000 prepared by MOLA Architects

28. To reflect the evolution of the port, DPC will create a public realm visitor experience at the new eastern limit that includes the re-use of the granite blocks and related elements of the Eastern Breakwater's Pier Head and stored elements from the Breakwater Lighthouse (demolished circa 20 years ago). This interpretative installation will celebrate the cultural and natural heritage of the port where the public can continue to enjoy views of Dublin Bay.

29. The proposed installation, the 'Marker', will consist of a tower which will house the lantern, recovered and since stored, from the original Breakwater Lighthouse (DCIHR19-09-003). Beneath the Marker, an informal performance space in the shape of the Breakwater 'roundel' will create a small amphitheatre defined by retained granite from Pier Head. A lower viewing and interpretive deck will be accessible from the Port Greenway (Reg. Ref. 3084/16). The installation will incorporate features which will inform visitors of the port's industrial, maritime and ecological heritage. The proposals also offer a musical experience provided by an aeolian harp and sea organ. The concept and proposed installation are provided in *Industrial Heritage Impact & Compensation Planning & Design Report* prepared by MOLA Architects. The proposed concept is illustrated in **Figure 5-9.**

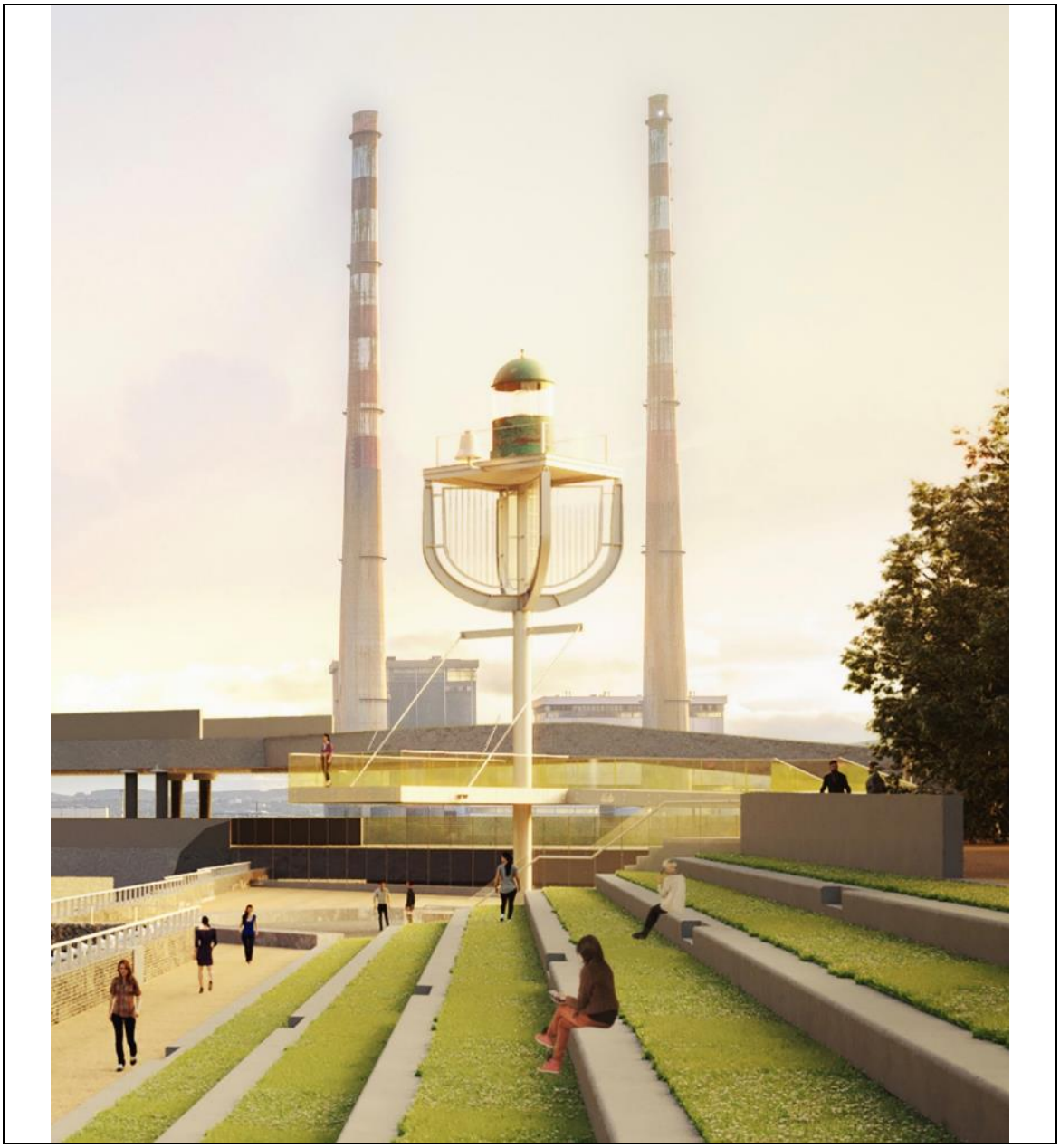

Figure 5-9: Proposed 'Marker' Installation
Source: MOLA Architects

5.2 Construction Methodology

30. The MP2 Project construction works will be undertaken in compliance with a Construction Environmental Management Plan (CEMP) which will include all conditions of planning and mitigation measures brought forward from the environmental assessments undertaken during the preparation of the EIAR and NIS, such as need to agree construction management plans, demolition plans, waste management plans etc. A Draft CEMP has been prepared by RPS to support the MP2 Project application and is enclosed as part of the application pack. It is proposed that the Draft CEMP will be finalised subject to permission and agreement with Dublin City Council and appointment of contractors. Similar to the ABR Project[14] it is anticipated that regular ongoing liaison meetings will be maintained between Dublin City Council and DPC during the construction phases providing updates and engagement on the construction of the project and ongoing environmental monitoring recording and results as the development is implemented.

Construction Programme

31. The construction sequence summary has been separated into two elements: land phases (LP1 to LP4) and marine phases (MP1 to MP7). Phasing may be subject to adjustment as a result of external influences such as avoidance activity within certain periods close to sensitive habitats. The proposed project phasing plan is presented in **Figure 5-10.** The preliminary sequencing programme is presented in Figure 3-24 of the EIAR.

Figure 5-10: General Project Phasing Plan
Source: Chapter 3 of Volume 2 of the EIAR

32. It is anticipated that the proposed development will be delivered over 11 development phases. Land based works phases include:

Phases L1	Northern Access Road.
Phases L2	Eastern Access Road.
Phases L3	Unified Ferry Terminal Yard.
Phases L4	Heritage Installation.

[14] PLN 29.PA0034

33. Marine based works phases include:

Phase M1	Berth 52
Phase M2	Berth 53
Phase M3	Channel Widening Words
Phase M4	Jetty Road
Phase M5	Oil Berth 3
Phase M6	Berth 50A.
Phase M7	Dredging of Berth 50A.

34. As Dublin Port is an operational port the sequencing of the phases will in the majority of instances be undertaken sequentially rather than in tandem. The objective of the construction programme is to enable Dublin Port to continue to operate at optimum levels while also causing the minimum disruption to port operators and adjoining land uses. Based on its experience with respect to the ongoing delivery of the ABR Project (Ref PL29N.PA0034), DPC estimate that the overall length of time required to construct the development to be 122 months. Critically however there will be gaps between each work package and phase to allow for other consents to be secured (e.g. Foreshore Licence), design development, procurement, compliance agreements, therefore a 15-year permission is being sought.

35. Details with regard to the construction impacts of the MP2 Project and the details of mitigation measures prescribed are set out within each section of the EIAR, as appropriate, and the NIS, where necessary. An overall listing of mitigation measures proposed is provided in Chapter 19 of the EIAR, within the *Summary of the Mitigation Measures* and NIS prepared by RPS and is enclosed as part the application documentation.

6 PLANNING POLICY CONTEXT

1. **Figure 6-1** illustrates an overview of the Irish Planning System and the importance of policy in the assessment of applications for permission. The relevant EU, national, regional and local planning policies against which the proposed development will be assessed are set out for each level within the hierarchy in the sections that follow.

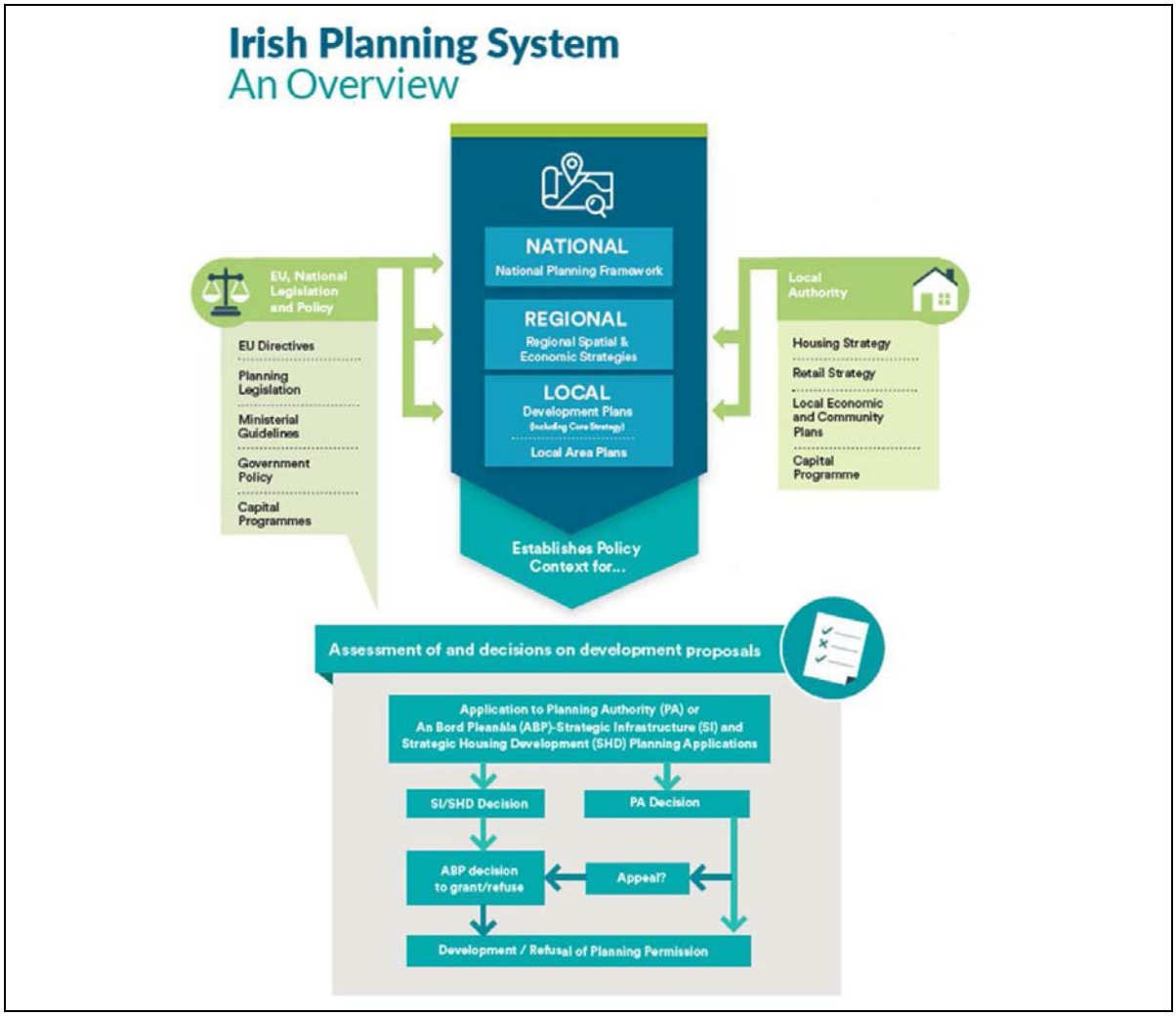

Figure 6-1: Planning Policy Hierarchy

Source: Project Ireland 2040 National Planning Framework, July 2018

6.1 Relevant European Planning and Development Policy

6.1.1 Trans European Network – Transport (TEN-T)

2. The EU has defined a Trans European Network-Transport (TEN-T) which connects the major European urban areas and includes the major European transport corridors and multimodal hubs. The TEN-T network provides integrated international long-distance high speed routes. The network involves the provision of guidance and investment. Ports are a key part of the TEN-T and Dublin Port is a core port on the TEN-T network. Dublin Port is a designated node on the North Sea-Mediterranean Core Network Corridor as shown in **Figure 1-1**.

3. Development of the TEN-T is supported by means of grant aid and financing through the European Investment Bank. The ABR Project (Board Ref. PL 29N.PA0034) is a c.€230 million infrastructural investment at the port. This investment will help future-proof the port in terms of

being able to facilitate larger sized vessels into the future (in terms of both length and draft) and provide for increased capacity. The ABR Project and the proposed development of the second phase of the Dublin Port Masterplan, the MP2 Project, are consistent with the objectives of TEN-T for the North Sea-Mediterranean Corridor and the designated role of Dublin Port.

4. On 29th March 2017, the United Kingdom submitted a notification of its intention to withdraw from the EU pursuant to Article 50 of the Treaty on European Union, commonly referred to as Brexit. The EU Treaties will cease to apply to the United Kingdom from the date of entry into force of a withdrawal agreement or failing that, two years after that notification unless the period is extended. Once the withdrawal process is completed, parts of the alignment of the North Sea – Mediterranean Core Network Corridor related to the United Kingdom will become obsolete. Recognising this Regulation (EU) 2019/495 amending Regulation (EU) No 1316/2013 provides for a realignment of the corridor once the United Kingdom leaves the EU. This regulation also make provision for infrastructure for purposes of security and checks on external borders. As noted in **Section 4.2.3**, the Minster for Public Expenditure and Reform has made an Order to enable infrastructure provisions to be put in place.

6.1.2 Marine Spatial Plan

5. In 2014 the adoption of Directive 2014/89/EU established an EU-wide framework for maritime spatial planning. The Directive details the main goals and minimum requirements for Member States as follows:

- Balanced and sustainable territorial development of marine waters and coastal zones;
- Optimised development of maritime activities and business climate;
- Better adaptation to risks; and
- Resource-efficient and integrated coastal and maritime development.

6. Marine spatial planning may be defined as:

> *"… a process by which the relevant Member State's authorities analyse and organise human activities in marine areas to achieve ecological, economic and social objectives"* (Directive 2014/89/EU).

7. Ireland transposed the Directive through the European Union (Framework for Maritime Spatial Planning) Regulations 2016. A National Marine Spatial Plan must be in place by 31st March 2021.

6.2 Relevant National Planning and Development Policy

6.2.1 National Ports Policy

8. The *National Ports Policy 2013* is the statement of national policy underpinning the development and operation of Ireland's ports. Ports are divided into Ports of National Significance (Tier 1), Ports of National Significance (Tier 2) and Ports of Regional Significance. Within the Irish Ports Policy, Dublin Port is a Port of National Significance (Tier 1). Tier 1 ports are designated as such where they are responsible for 15% to 20% of overall tonnage through Irish ports and they have clear potential to lead the development of future port capacity in the medium and long term, when and as required.

9. Three ports are included in the TEN-T core network: Dublin, Cork and Shannon Foynes. These ports are also identified in National Ports Policy as Ports of National Significance (Tier 1). The policy document states:

> *"The continued commercial development of these three Ports of National Significance (Tier 1) is a key objective of National Ports Policy." (page 25)*

10. The policy recognises Dublin Port's published Masterplan, which sets out a vision of development over 30 years from 2012-2040. The plan represents a comprehensive framework for the long-term development of the port and is underpinned by three core principles:

- Maximisation of usage of existing port lands.
- Reintegration of the port with the city.
- Development of the port to the highest environmental standards.

11. The National Ports Policy recognises that *"the location of Dublin Port Company inevitably gives the port competitive advantage over other ports and will give rise to competition concerns. However, a continuation and strengthening of the landlord model of operation in the port's estate will allow for continued intra-port competition between the privately operated port terminals within the port estate."*

12. Referring specifically to the Dublin Port Masterplan, the National Ports Policy states:

> *"The Government endorses the core principles underpinning the company's Masterplan and the continued commercial development of Dublin Port Company is a key strategic objective of National Ports Policy". (page 25)*

13. The National Ports Policy highlights that the *"sustainable development of the port sector depends to a large extent on the relationship and interaction between the sector and the planning system. Ports act as international gateways, generate large volumes of traffic, and are key centres of economic activity. They are located at a unique interface between land and sea, in many cases in or near to major conurbations"* (page 43)

14. The National Ports Policy states that:

> *"The provision of adequate and efficient capacity into the future is a crucial Government strategic objective." (page 43)*

15. A shift by global shipping lines toward larger vessels requiring access to deeper water and the reduced availability of vessels to use smaller ports is a challenge which faces the port sector. The planning, financing and development of largescale infrastructure projects, such as major port capacity proposals, requires significant organisational, operational and financial resources. It is important that, in the State commercial ports sector, bodies bringing forward significant port capacity developments have the resources required to ensure that the State's and the public's interest is protected and enhanced. Therefore, Government expects the Ports of National Significance (Tier 1) to lead the response of the State commercial ports sector to future national port capacity requirements.

16. It is the Government's position that those ports considered to be of national significance must be capable of the type of port capacity required to ensure continued access to both regional and global markets for our trading economy.

17. National Ports Policy recognises strongly the desirability of the port master planning process for the long-term planning of all Ports of National Significance (Tier 1 and 2). The Policy directs Port companies to engage with the relevant planning authorities to ensure that port masterplans and relevant planning and development strategies are complementary and consistent.

18. National Ports Policy states that:

> *"National and Regional Planning Guidelines should also recognise the importance of the three categories of ports and allow for their continued development. To this end, the Department contributes as necessary to the development of Regional Planning Guidelines in order to ensure that the goals of National Ports Policy are recognised in the planning hierarchy." (page 45)*

19. National Port Policy acknowledges that the relationship between a port and its city is constantly changing. It continues that:

> *"The location of most major port facilities has shifted downstream over time, allowing redevelopment of previously port-related lands for other commercial, residential or recreational uses. However, redevelopment proposals must take account of the need for sufficient replacement port capacity within the region. Any development proposal requires careful consideration by all relevant stakeholders, in particular the planning authorities, local communities, port authorities and port users." (page 46)*

20. National Port Policy points to ports across the European Union, where there is widespread recognition of the benefits to be gained from reintegration of a port's relationship with its city and community stating that:

> *"In many port cities a growing spatial separation between ports and their communities has arisen in recent decades due to a multitude of factors, including the need for increased port security and the relocation of port facilities away from city centres. While the important role of ports in facilitating economic activity is frequently overlooked, their social role in shaping a city's development and indeed its history is often completely overshadowed by the seemingly conflicting demands of a port's development and the development of the city." (page 46)*

21. National Ports Policy therefore encourages ports and local authorities to collaborate on issues of mutual benefit and work together to maximise the potential afforded by their natural, as well as manmade, environment.

22. It is clear from National Ports Policy that any future development of new facilities on the east coast of Ireland will be predicated on Dublin Port first reaching its capacity limits in its current location and any subsequent development of new facilities would only be developed subsequently to provide additional port capacity.

6.2.2 Project Ireland 2040 National Planning Framework

23. *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.

24. The preferred approach to planning the future spatial strategy is promoting compact development that focuses on reusing previously developed, *'brownfield'* land, building up infill sites, which may not have been built on before, and either reusing or redeveloping existing sites and buildings.

25. The NPF highlights that Ireland's port and shipping services play an important role as *'enablers of economic growth'* and are critical infrastructure for international trade, with over 90% of our international trade moving by sea. The NPF confirms that as an island nation:

> *"We depend on the quality and efficiency of our ports to a far greater extent than many of our trading partners. To maintain economic growth, we must be capable of delivering additional port capacity in a timely and predictable manner".* (page 94)

26. In this regard, National Strategic Outcome 6 *"High-Quality International Connectivity"* is crucial for overall international competitiveness and addressing opportunities and challenges from Brexit through investment in ports and airports in line with sectoral priorities already defined through National Ports Policy and National Aviation Policy.

27. Given Ireland's island nature infrastructure is based on the effectiveness of airport and port connections. The NPF acknowledges *National Ports Policy* and the national hierarchy or tiering of ports recognising the long-term international trend in ports and shipping towards increased consolidation of resources in order to achieve optimum efficiencies of scale. This, the NPF notes, has knock-on effects in terms of vessel size, the depths of water required at ports and the type and scale of port hinterland transport connections.

28. 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". (page 103)*

29. A key objective to enable growth of Dublin and nationally is infrastructure pertaining to Dublin Port looks towards:

> *"Facilitating the growth of Dublin Port through greater efficiency, limited expansion into Dublin Harbour and improved road access, particularly to/ from the southern port area". (page 57&142)*

30. The implementation of National Policy Objectives contained within the NPF are to be further developed upon within the Regional Spatial and Economic Strategies. The MP2 Project comprises further development to provide further capacity within a designated Tier 1 port and is wholly consistent with national infrastructure objectives.

6.2.3 National Development Plan

31. The National *Development Plan 2018–2027* (NDP) identifies strategic priorities for public capital investment in order to underpin the implementation of the NPF.

32. National Strategic Outcome 6 *"High-Quality International Connectivity"* seeks to target continued investment in port and airport connections to the UK, the EU and the rest of the world. Given that Ireland is an island this is considered by the NDP to be integral to underpinning international competitiveness. It is also central to responding to the challenges as well as the opportunities arising from Brexit.

33. It is envisaged by the NDP that investment will strongly support the continued development and improvement in Ireland's ports and State airports by the relevant responsible commercial State Owned Enterprises (SOEs), consistent with sectoral priorities already defined through *National Ports Policy* and *National Aviation Policy*.

34. The NDP continues that significant investment in Ireland's airports and ports will play a major role in safeguarding and enhancing Ireland's international connectivity which is fundamental to Ireland's international competitiveness, trading performance in both goods and services and enhancing its attractiveness to foreign direct investment. The NDP clearly states that the importance of this objective cannot be understated in the context of the UK's exit from the EU in 2019.

35. The MP2 Project consists of the next phase of this capital infrastructure programme at Dublin Port and is consistent with national policy.

6.2.4 National Marine Planning Framework

36. Marine Spatial Planning (MSP) in Ireland is underpinned at the highest level by the European Marine Spatial Planning Directive (Directive 2014/89/EU) (MSPD). This sets out the date by which member states must have in place plans for their seas, 31st March 2021, as well as articulating a range of activities that must be included within the MSP process and plan. The MSPD is reflected in domestic law through the Planning and Development (Amendment) Act 2018. The Act describes MSP in Ireland as being made up of one marine spatial plan for the entire of the maritime area and/or different marine spatial plans for different parts of the maritime area with the singular plan or suit of plans.

37. Ireland's first marine spatial plan, National Marine Planning Framework (NMPF), will serve as a parallel to the NPF, will set out the Government's long-term planning objectives and priorities for the management of our seas over a 20-year time frame. It will create an overarching framework for

marine decision-making that is consistent, evidence based and secures a sustainable future for Ireland's marine area.

38. The Department of Housing, Planning and Local Government has indicated that it will publish a draft NMPF in Q3 2019 for a period of public engagement and consultation, with the final plan due before the end of 2020. The NMPF will set out specific objectives and marine planning policies for all the activities taking place in Ireland's seas, from aquaculture through to waste water treatment.

6.2.5 Marine Planning Policy Statement (Consultation Draft)

39. The Department of Housing, Planning and Local Government is currently inviting submissions on the Marine Planning Policy Statement. The Marine Planning Policy Statement will apply to all facets of marine planning. It is being introduced initially on a non-statutory basis, pending the introduction of legislation in 2020 that will provide for the preparation, adoption and review of statutory marine planning policy statements on six-yearly cycles. It reflects the comprehensive updating and renewal now underway of Ireland's marine planning system, setting out core principles to inform evolving marine planning and development management process.

40. The draft Marine Planning Policy Statement is intended to do the following[15]:

- *"Describe the existing components of Ireland's marine planning system;*
- *Outline a vision for the future development of our marine planning system;*
- *Set out the overarching policies and principles the Government expects marine planning bodies and other public bodies that engage with the marine planning system to observe (in terms, for example, of public engagement, transparency, governance, environmental assessment, climate action, social and economic benefit);*
- *Set out high-level priorities for the enhancement of the marine planning system in Ireland."*

6.3 Relevant Regional Planning and Development Policy

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

41. 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. Prepared in accordance with the NPF, the RSES sets the context for each local authority within the region to develop county and city development plans in a manner that will ensure national, regional and local plans align.

42. With respect to the profile of the region the RSES notes that the Dublin region is the main global gateway to Ireland, with Dublin Airport one of the fastest growing in Europe and continued growth both in the import and export of goods through Dublin Port. The RSES states that as Ireland's only international city of scale, Dublin acts as the global gateway to Ireland and its influence extends well beyond its administrative boundaries. Growth Enablers for Dublin City and Metropolitan Area include:

> *"Protect and improve access to the global gateways of Dublin Airport and Dublin Port for the Region and to serve the Nation, and safeguard and improve regional accessibility and service by rail, road and communication, with a key focus on the Dublin-Belfast Economic Corridor." (page 34)*

[15] https://www.housing.gov.ie/planning/marine-spatial-planning/public-consultation-marine-planning-policy-statement

43. To achieve the vision the MASP identifies a number of Guiding Principles for the sustainable development of the Dublin Metropolitan Area. With respect to Dublin Port these include:

> *"Dublin as a Global Gateway – In recognition of the international role of Dublin, to support and facilitate the continued growth of Dublin Airport and Dublin Port, to protect and improve existing access and support related access improvements." (page 101)*

44. The RSES repeats the NPF National Strategic Outcome 40 and recognises the crucial role that the provision of High-Quality International Connectivity has for overall international competitiveness and addressing opportunities and challenges from Brexit through investment in our ports and airports, in line with sectoral priorities already defined through National Ports Policy and National Aviation Policy and signature projects such as the second runway for Dublin Airport and major redevelopment at Dublin Port.

45. The RSES recognises that Ireland's port and shipping services play an important role as enablers of economic growth, noting that the region is home to the largest sea port in the country, Dublin Port. The RSES states that *"given the nature and function of ports, combined with the location interfacing with the marine environment, there is potential for environmental conflict with the existing ecosystem"(page 196).* It continues that this sensitivity is further increased by the proximity of most of the region's ports to designated sites and concludes:

> *"In order to minimise potential impacts on EU protected habitats, brownfield port developments which maximise the capacity of existing port sites should be prioritised over greenfield developments. The approach to port development in the Region shall adhere to the European Commission guidelines on the Implementation of the Birds and Habitats Directives in Estuaries and Coastal Zones." (page 196)*

46. In terms of port facilities, the RSES acknowledges the *National Ports Policy* and the national hierarchy or tiering of ports recognises the long term international trend in ports and shipping towards increased consolidation of resources in order to achieve optimum efficiencies of scale. It notes that this has knock-on effects in terms of vessel size, the depths of water required at ports and the type and scale of port hinterland transport connections.

47. As set out under **Section 6.2.1** the *National Ports Policy* seeks to ensure that the strategic development requirements of Tier 1 Ports, ports of regional significance and smaller harbours are addressed to ensure their effective growth and sustainable development at a national and regional level, this is acknowledged in the RSES. The RSES also acknowledges implementation of the requirement by National Ports Policy and the commissioning of a National Ports Capacity Study to assess the capacity of the national port network which is underway.

48. Relevant regional Policy Objectives guiding the development of ports, and specifically Dublin Port, within the RSES include:

> *"RPO 8.21: The EMRA 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. (Page 196)*
>
> *RPO 8.23: The EMRA supports the protection of the marine related functions of ports in the Region in order to ensure the future role of ports as strategic marine related assets is protected from inappropriate uses, whilst supporting complimentary economic uses including the potential for facilitating offshore renewable energy development at ports. (Page 196)*
>
> *RPO 8.24: The EMRA supports the undertaking of feasibility studies to determine the carrying capacity of ports in relation to potential for likely significant effects on associated European sites including SPAs and SACs." (Page 196)*
>
> *RPO 7.20 Promote the development of improved visitor experiences, nature conservation and sustainable development activities within the Dublin Bay Biosphere in cooperation with the Dublin Bay UNESCO Biosphere Partnership." (Page 162)*

49. The RSES recognises that Dublin Port is one of five major ports classified as Tier 1 / Tier 2 ports in National Port Policy and categorised as a core port in the EU's TEN-T network. Dublin Port is recognised in this RSES as a critical national facility; a key economic driver for the region and the nation and an integral part of Dublin City. The MP2 Project seeks to redevelop land on which existing port uses take place. The MP2 Project is a vital component in facilitating imports and exports throughput in an efficient manner. It is fundamental to meeting capacity projections up to 2040 and will ensure the port has the necessary infrastructure to meet developments in shipping internationally where larger ships are becoming the industry norm. It is submitted that the MP2 Project is wholly in accordance with the principles of sustainable development as set out in the RSES through optimising otherwise underutilised land and is wholly consistent with regional infrastructure policy and objectives which are to be translated into the local level of the planning policy hierarchy.

6.3.2 Transport Strategy for the Greater Dublin Area, 2016 to 2035

50. *Transport Strategy for the Greater Dublin Area*, 2016 to 2035, prepared by the National Transport Authority sets out how transport will be developed across the region, covering Dublin, Meath, Wicklow and Kildare up to 2035. The strategy seeks to protect and enhance the capacity of the TEN-T network including Dublin Port. The importance of Dublin Port at a regional and national level is recognised within the strategy and the need for landside connectivity is prioritised. The strategy states:

> *"The need to facilitate the expansion of activity at Dublin Port into the future, as both a commercial and passenger port, must, therefore, be supported by the Strategy, through the clear identification and safeguarding of designated access routes".* (page 36)

51. The delivery of a link road connecting the southern end of the Dublin Port Tunnel to the South Port area is included as a National Road project to be delivered in the Transport Strategy.

52. The MP2 Project will contribute towards Dublin Port facilitating additional growth in capacity throughout. The need to facilitate the expansion of activity at Dublin Port into the future is fully recognised by the strategy.

6.4 Relevant Local Planning and Development Policy

6.4.1 Dublin City Development Plan 2016-2022

53. The *Dublin City Development Plan 2016-2022* (Development Plan) is the primary statutory land use planning policy document guiding development within Dublin City including Dublin Port.

54. Dublin City Council's approach to the port as set out in *Shape and Structure of the City* chapter of the Development Plan recognises and outlines general support for the activities of Dublin Port stating:

> *"Dublin City Council fully supports and recognises the important national and regional role of Dublin Port in the economic life of the region and the consequent need in economic competitiveness and employment terms to facilitate port activities.*
>
> *Dublin Port will have a significant role to play in the future development and growth of the city and it is considered prudent to plan the structure of this part of the city, including the proposed public transport network, to fully integrate with the developing new city structure and character, while having regard to the Dublin Port Company Masterplan 2012 – 2040". (page 59)*

55. 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. (page 46)*

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". (page 83)

56. The protection of the Eastern By-Pass routes is an objective of the Development Plan:

"MTO32: To protect the routes of the proposed eastern by-pass from existing Dublin Port tunnel to Poolbeg, also referred to as the Southern Port Access Route, and in the longer term to provide a route corridor between Poolbeg and the Southern Cross/ South Eastern Motorway (in accordance with the NTA Strategy for the Greater Dublin Area 2016 – 2035). The preferred route for DCC is by means of a bored tunnel, under Sandymount Strand and Merrion Strand and will be subject to full statutory Environmental Assessment, together with an Appropriate Assessment for the entire proposed routes, in accordance with the Habitats Directive, together with a full consultation process". (page 133)

57. These key strategic policies and objectives of Dublin City Council endorse the improvement of port infrastructure required to facilitate economic growth in a manner which will also safeguard the natural and built environment.

6.4.1.1 Land Use Zoning

58. The subject site within the context of the land use zoning objectives is illustrated on **Figure 6-2**.

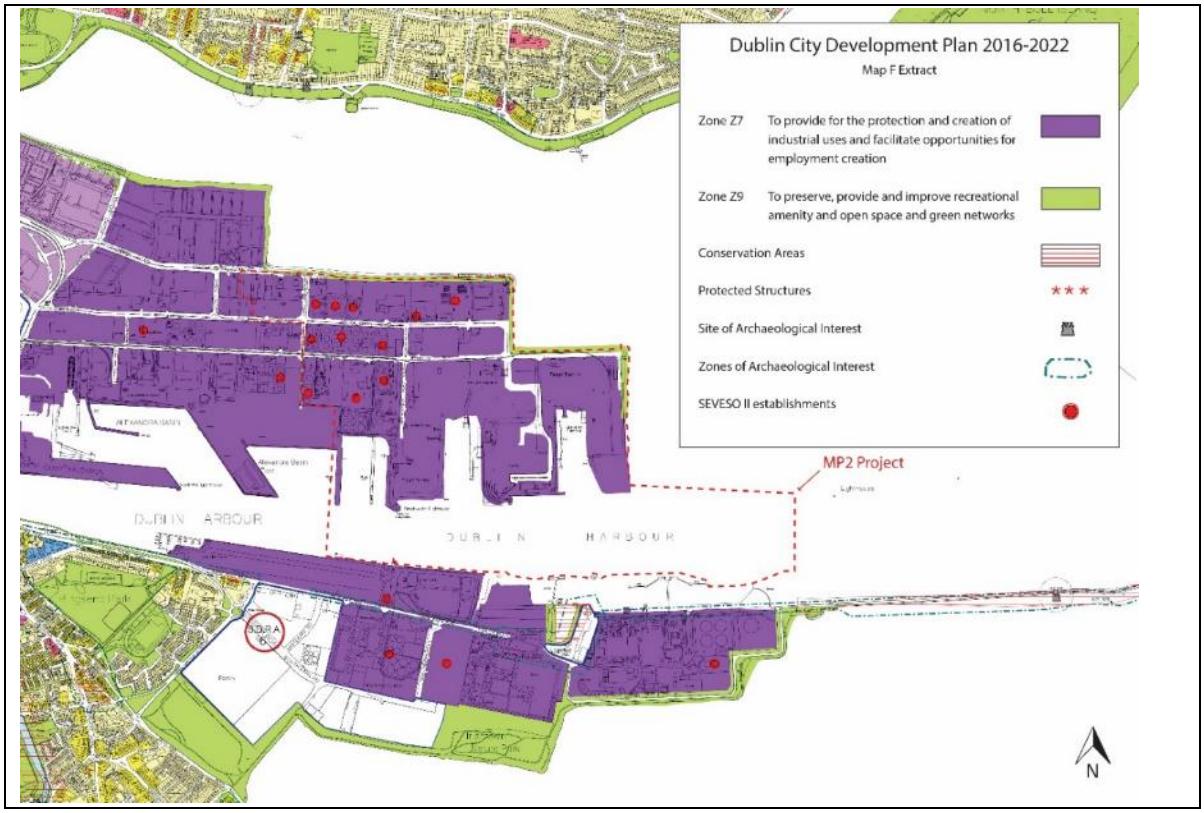

Figure 6.2 Land Use Policies

Source: Dublin City Development Plan 2016-2022 Map F

59. The lands that form part of the development as well as those adjoining it are largely zoned Z7 Industry and Employment with a small area located within the Z9 Amenity/Open Space Lands/Green Network zoning objective.

60. The Z7 Employment Industry zoning objective is, "*to provide for the protection and creation of industrial uses and facilitate opportunities for employment creation including Port Related Activities"*. Port-related industries and facilities are permitted in principle within the Z7 land use zoning objective.

61. With respect to lands zoned Z7 Employment Industry the Development Plan states:

> *"The majority of these lands are located in the Port area. The primary uses in these areas are those that can result in a standard of amenity that would not be acceptable in other areas. They can sometimes lead to disamenities which would need to be managed through the planning process to safeguard residential amenity when necessary. Activities include industry, other than light industry; manufacturing repairs, open storage, waste material treatment, and transport operation services". (page 244)*

62. DPC has embraced the intent of this guidance with respect to its development of port lands and has endeavoured to ensure that measures are put in place to reduce potential disamenities and safeguard residential amenity through its recent applications and development proposed.

63. A portion of the site is located within the Z9 Amenity/Open Space Lands/Green Network zoning objective which is *"to preserve, provide and improve recreational amenity and open space and green networks".* This zoning includes all amenity open space lands which can be divided into three broad categories: public open space, private open space and sports facilities in private ownership. With respect to lands zoned Z9 the plan states:

> *"the provision of public open space is essential to the development of a strategic green network…..Generally, the only new development allowed in these areas, other than the amenity/recreational uses, are those associated with the open space use…".(page 246)*

64. As set out in **Section 4.2** of this Planning Report, the applicant secured planning consent for a new internal road network (Reg. Ref. 3084/16) which includes a c.4km pedestrian/cycle route at the northern and eastern edges of the Port Estate, this route is under construction (Reg. Ref. 3084/16) **Figure 7-2** refers. In addition, the applicant has undertaken extensive landscaping upgrades to the interface of Port Centre with the city (Reg. Ref. 3452/15) **Figure 7-1** refers. This development has made a radical change to the profile of the port and how interfaces with existing and new development associated with the North Lotts.

65. As part of the MP2 Project the demolition of the Pier Head part of the Eastern Breakwater will remove the original entrance to the port's deep-water basin in order to facilitate the extension to river Berth 50A. To reflect the evolution of the port, DPC will create a public realm visitor experience at the new eastern limit which will celebrate the cultural and natural heritage of the port where the public can continue to enjoy views of Dublin Bay. **Section 5.1** of this Planning Report provides an overview of these proposals and they are illustrated on **Figure 5-9**.

66. The Landscape and Visual Impact Assessment of the proposed development is contained in Chapter 15, Volume 2 of the EIAR. It concludes that the MP2 Project is located within a landscape character area identified as a Harbour Based Industrial Landscape which has a low sensitivity to change. The magnitude of change as a result of the MP2 Project will be negligible. It continues that the there are large areas of Dublin and the adjacent settled coastline that will not have views of the proposal due to intervening vegetation and buildings and it is only those residential areas within close proximity to the site at Ringsend to the southwest and the Clontarf to Howth coast road to the north that will have potential direct views.

67. It is submitted that quality architectural and landscape design measures being provided by DPC in a staged manner at appropriate locations around the periphery of the port in order to safeguard residential amenity is compliant with the spirit and intent of the land use zoning objectives guiding the development of Dublin Port. The existing port facilities including ships and cranes and traffic are all features of the existing views from residential areas. New features introduced by the MP2 Project will not significantly alter these views.

6.4.1.2 Built Heritage

68. It is a key objective of the core strategy of the Development Plan to protect and enhance the special characteristics of the city's built and natural heritage. The principal measures enabling Dublin City Council to achieve this objective are the Record of Protected Structures and the

designation of Architectural Conservation Areas. There are no protected structures located within the application boundary.

69. However, it is noted that the Eastern Breakwater however is included in the Dublin City Industrial Heritage Record (DCIHR). In this respect, Policy CHCO10 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."*

70. As part of the MP2 Project the demolition of the Pier Head, part of the Eastern Breakwater, will remove part of the original entrance to the port's deep-water basin in order to facilitate the extension to river Berth 50A. It is expected that elements of the original Eastern Breakwater exist under Breakwater Road, and that these elements will survive *in situ* beneath Berth 50A. To commemorate this, the location of the pier head will be marked with inscribed commemorative text, to ensure that there is a permanent *in situ* record of its former presence. A *Conservation Strategy and Industrial Heritage Appraisal Document* has been prepared by Southgate Associates Engineering Conservation Consultants and is included as part of the application for permission.

71. To reflect the evolution of the port, DPC will create a public realm visitor experience at the existing eastern limit that includes the re-use of the granite blocks and related elements of the Eastern Breakwater Pier Head and the Breakwater Lighthouse (demolished circa 20 years ago). This interpretative installation will celebrate the cultural and natural heritage of the port where the public can continue to enjoy views of Dublin Bay.

72. This heritage zone will accommodate an artistic interpretation of what once stood on the Eastern Breakwater and signal the end of the port's expansion eastward. Further detail on the rationale for the proposed design and contribution the installation will make to the evolving development of the port and recognition of its heritage and is provided in *Industrial Heritage Impact & Compensation Planning & Design Report* prepared by MOLA Architects included as part of the application.

73. The assessment of the proposed development with respect to the built heritage is further detailed in Chapter 14 Volume 2 of the EIAR.

6.4.1.3 Natural Heritage

74. 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 favourable 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

75. It is the Policy of 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." (page 173)*

76. There are no designated sites located within the application boundary however there is a significant aggregation of designated sites in and around Dublin Bay, including European sites (SACs and SPAs), NHAs and pNHAs, Ramsar sites, IBAs and Nature Reserves.

77. Dublin Bay is a coastal wetland complex of considerable nature conservation value. In 2015, North Bull Island Biosphere Reserve was expanded to take in the whole of Dublin Bay and now extends to over 300km2. In this regard it is the policy of Dublin City Council:

> *GI19: "To ensure a co-ordinated approach to the management of Dublin Bay with other State and semi-State agencies through the Dublin Bay Biosphere Partnership to develop a Biosphere Strategy for the sustainable development of Dublin Bay." (page 173)*

78. The spatial configuration of Natura 2000 sites and other environmental designations and their relationship with the proposed development are presented and assessed in Chapter 7, Volume 2 of the EIAR and the separate Appropriate Assessment Screening and Natura Impact Statement submitted with this application for permission

6.4.1.4 SEVESO Directive Sites

79. Map F of the Development Plan identifies the locations of *'Seveso'* designated sites (see **Figure 6-2**). Appendix 12 of the Development Plan provides a list of Seveso sites in the city including their respective consultation zone. Activities are listed in an *'Upper Tier'* and others in a *'Lower Tier'*. There are 7 no. Upper Tier and 7 no. and Lower Tier Seveso establishments listed within the general vicinity of the MP2 Project.

80. It is the Policy of Dublin City Council:

> *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." (page 157)*

81. Byrne Ó'Cléirigh Consulting Engineers conducted a COMAH land use planning assessment for the MP2 Project, the purpose of which was to examine the development in the context of the Health and Safety Authority's COMAH land use planning guidance, and to identify the types of development that may be compatible with the COMAH risk zones applicable establishments. This assessment forms part of this application. Chapter 6, Volume 2 of the EIAR also assesses the proposed development with respect to risk of major accidents which concludes that the potential direct and indirect major accident and disaster risks arising the proposed development satisfy the Health and Safety Authority's COMAH land use planning guidance.

6.4.1.5 Development Management Standards

82. The development management guidelines specific to Dublin Port recognise Policy CEE 23(iii) and outline a number of considerations which will guide the Council thinking on DPC proposals.

> *"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*
>
> *The periphery of the port area facing residential areas shall be designed and landscaped to minimise the impact of its industrial character*
>
> *The 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)*
>
> *The 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". (page 347)*

83. The manner in which the proposed development addresses these considerations is set out in **Section 7** of this Planning Report.

84. The Development Plan is the substantive planning document in terms of assessing whether the proposed development is consistent with the proper planning and sustainable development of the area in which it is proposed to be located. The key strategic policies and objectives of Dublin City Council considered relevant to this proposed development relate to endorsing the improvement of port infrastructure in order to facilitate economic growth, and policies relating to the protection of the natural and built environment. As demonstrated in the documents submitted with the application the MP2 Project is wholly consistent with these policies and objectives.

6.4.2 North Lotts and Grand Canal Planning Scheme

85. The *North Lotts and Grand Canal Planning Scheme 2014* was approved by the Board on 16th May 2014 and includes lands adjacent to Dublin Port to the west. The proximity of Dublin Port and the opportunity to maintain the maritime character of the area and integrate better with Dublin Port is recognised in the Planning Scheme. There are limited policies and objectives within the Planning Scheme pertaining to Dublin Port, however a number of objectives support improved cruise liner and passenger facilities including:

> *"ER17 To engage with Dublin Port Company, Fáilte Ireland and the Department of Transport, Tourism and Sport to facilitate the development of a new cruise tourism terminal at Alexandra Basin.*
>
> *PR12 To support the provision of a suitable terminal for cruise liners and other passenger vessels with Dublin Port".*

86. The proposed development of the MP2 Project has been designed to enable the port to accommodate larger ships and substantially increase its capacity through the provision of multipurpose berths for multiple transport modes, which include passenger vessels. The proposed development is consistent with the polices set out within the Planning Scheme with regard to providing suitable terminals for passenger vessels in the port.

6.4.3 Poolbeg West SDZ Planning Scheme

87. The *Poolbeg West SDZ Planning Scheme* has been prepared on foot of the *Planning and Development* act *2000 (Designation of Strategic Development Zone: Poolbeg West, Dublin City) Order 2016*.

88. The Order states the SDZ is designated *a "mixed use development which may principally include residential development, commercial and employment activities including, office, hotel, leisure and retail facilities, port related activities and the provision of educational facilities, transport infrastructure, emergency services and the provision of community facilities as referred to in Part III of the First Schedule to the Act, including health and childcare services, as appropriate".*

89. Article 4 of the Order states development of this area shall take into consideration *inter alia* the *Dublin Port Masterplan 2012-2040*.

90. The Poolbeg West Planning Scheme lands are south of the Liffey, approximately half of which are owned by Dublin Port Company. In addition to 3,500 residential units other supporting uses will include leisure, community, educational and commercial faculties. The Planning Scheme provides for the continued operation of the port from its southern lands and the construction of an interim separate road access to the south port area which shall not impede the progression and delivery of this new residential area.

91. The Planning Scheme is centred on *'Themes'*, one of which is to *'Protect'*. In this regard the Planning Scheme states the following:

"Key principle: Ensure that the development of Poolbeg West and the ongoing operations of Dublin Port, municipal facilities and future transport schemes are mutually taken in account and integrated into the urban structure of the city.

The peninsula will have an ongoing industrial function related to port activities, waste water treatment and energy generation. To ensure that these essential regional services continue the SDZ Planning Scheme includes lands for 'Port/ Industrial Compatible Uses' to facilitate growth, consolidate activities, and promote alternatives for underutilised lands, together with 'soft edges' and 'buffer zones'".

92. With specific regard to Dublin Port the Planning Scheme states in section 5.4.3:

"Dublin City Council fully supports and recognises the important national and regional role of Dublin Port in the economic life of the region and the consequent need in economic competitiveness and employment terms to facilitate port activities. Dublin Port will have a significant role to play in the future development and growth of the Poolbeg West area as well as the wider city. With this in mind, this planning scheme recognises the importance of retaining port uses and port related activities on site"

93. The Planning Scheme supports the Southern Port Access Route and Eastern Bypass:

"MV4 To protect the route of the proposed Southern Port Access Route and Eastern Bypass in accordance with the objectives of Transport Infrastructure Ireland and the National Transport Authority Strategy for the Greater Dublin Area 2016-2035. As an interim measure it is proposed to provide a separate road access to the south port area via a new link located north of the existing Seán Moore Roundabout".

94. Dublin City Council on 2nd October 2017 decided by resolution to make the Poolbeg West Planning Scheme. The decision of the Council was subsequently appealed to the Board (PL 29S.ZD2013). On 9th April 2019 the Board approved the Poolbeg West Planning Scheme.

95. The role and function of Dublin Port is supported and facilitated in the approved Planning Scheme.

6.5 Dublin Port Company Masterplan

96. The *Dublin Port Company Masterplan* is a key document guiding future development within the port up to 2040. The Masterplan is a non-statutory plan which has nonetheless been framed within the context of EU and is explicitly endorsed in the National Ports Policy, 2013 and supported by the planning policy hierarchy at national, regional and local levels.

97. The Masterplan presents a vision for future operations at the port and critically examines how the existing land use at Dublin Port can be optimised for merchandise trade and passenger (including cruise ships). It was prepared by DPC in order to:

- *"Plan for future sustainable growth and changes in seaborne trade in goods and passenger movements to and from Ireland and the Dublin Region in particular.*
- *Provide an overall context for future investment decisions.*
- *Reflect and provide for current National and Regional Guidelines and initiatives.*
- *Ensure there is harmony and synergy between the plans for the Port and those for Dublin City, the Dublin Docklands Area and neighbouring counties within the Dublin Region.*
- *Give some certainty to customers about how the Port will develop in the future to meet those requirements"*

98. The *Dublin Port Masterplan 2040,* reviewed and updated in 2018, sets out options for the development of Dublin Port which will meet these requirements and objectives. These options are shown in **Figure 3-2**.

The MP2 Project subject site is largely located within Area C: Unified Ro-Ro Ferry Terminal (light blue) and Area D: Container Terminal (maroon). 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".*

99. The identified infrastructure development option for Area C: Unified Ro-Ro Ferry Terminal is:

"This option provides 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*
- *Existing check-in facilities will be moved to a remote shared facility in Area E close to the Promenade Road entrance to the Port."*

100. The MP2 Project seeks to deliver a number of the elements envisaged for each of the areas as set out in the Masterplan. The remainder of the elements, such as a new terminal building, will form future development proposals as development of the Dublin Port Masterplan continues to be delivered.

6.6 Conclusion

101. There is specific policy support for the operation and development of Dublin Port. European, national, regional and local policies coalesce around a number of overriding objectives:

- **Underpinning Economic Growth**: Dublin Port is crucial to the regional and national economy and should provide capacity required to ensure continued access to international markets and as part of the TEN-T.
- **Facilitating Tourism:** Dublin Port is a key resource in providing for cruise tourism and passenger ferry services to Ireland.
- **Protecting the Environment**: Development of Dublin Port must be cognisant of the designation of Dublin Bay as a UNESCO biosphere and other environmental designations such as SAC and SPA.

- **Integration with Dublin City:** Development of the Dublin Port should be integrated with the city and **ensuring** the periphery of the port area facing residential areas is designed and landscaped to minimise the impact of its industrial character.

102. The MP2 Project is a vital component in facilitating goods and passenger movement in an efficient manner. It is fundamental to meeting capacity projections up to 2040 and will ensure the port has the necessary infrastructure to meet developments in shipping internationally where larger ships are becoming the industry norm.

103. The proposed development complies with all statutory planning guidelines and policies at European national, regional and local levels. In particular this phase, of the Dublin Port Masterplan, the MP2 Project, positively addresses the responsibilities placed on DPC to provide international marine connectivity vital to the Irish economy.

7 PLANNING APPRAISAL

1. This section of the Planning Report addresses key areas of consideration of the proposed development to be undertaken by the Board from the perspective of proper planning and sustainable development. These include:

- Nature and Scope of the Proposed Development
- Principle of the Development
- Consideration of Alternatives
- Duration of Permission
- Movement and Access
- Brexit
- Community Gain
- Environmental Impact Assessment Report (EIAR)
- Natura Impact Statement (NIS).

7.1 Nature and Scope of the Proposed Development

7.1.1 Requirements to Provide Capacity for Growth

2. In order to maintain national competitiveness and operational efficiencies DPC needs to plan for the provision of infrastructure to cater for larger ships. The MP2 Project seeks to deal with the current demand and operational requirements while also future-proofing Dublin Port by providing additional capacity through deepening berthing pockets to cater for larger vessels and longer berthing infrastructure to accommodate longer vessels to facilitate trade and passenger throughput.

3. An element of the permission for the ABR Project[16] infilled the basin Berths 52 and 53. This essentially led to the replacement of basin Berths 52 and 53 with a river berth, referred to as Berth 52. However, the basin Berth 53 was not replaced as it was envisaged then that the new river berth would suffice based on the estimated average annual growth of 2.5% from 2010 to 2040 facilitating volume growth of 60m gross tonnes per annum, or an increase of 31m gross tonnes per annum. However, based on DPC's experience since 2010 volumes will double by 2032 and that by 2040 they will have grown to 77.2m gross tonnes per annum, equating to a revised annual average growth rate of 3.3%, an increase of 48.3m gross tonnes per annum. With the MP2 Project in place 14.6m gross tonnes per annum will be facilitated in Areas C and D as identified in the Master Plan, refer to **Figure 3-2** of this Planning Report.

4. This annual average growth rate of 3.3% is cumulative growth across different cargo modes. The following growth profiles within different cargo modes are expected in the period to 2040:

- Ro-Ro is expected to increase from 16.4m gross tonnes per annum to 54.3m gross tonnes per annum by 2040 with a particular increase in unaccompanied Ro-Ro which requires more land to be used to accommodate containers being moved on and off vessels by tractors. This equates to growth 4.1% per annum.
- Lo-Lo is expected to grow from 0.6m gross tonnes per annum in 2010 to 15.3m gross tonnes per annum by 2040. This equates to growth 3.0% per annum.

[16] Board Ref. PL 29N.PA0034

- Bulk liquid is likely to stabilise at about 4.0m gross tonnes per annum. This equates to growth 0% per annum.
- Bulk solid is likely to increase from 2.1m gross tonnes per annum to 3.5m gross tonnes per annum in 2040. This equates to growth 1.8% per annum.
- Break bulk is likely to marginally increase from 0.096m gross tonnes per annum to 0.1m gross tonnes per annum in 2040. This equates to growth 0.1% per annum.

5. Passenger volumes will continue to grow to 2040, both from ferry passenger traffic and cruise vessels.

6. DPC has set out a development strategy which demonstrates that the volumes to 2040 can be met by the port through:

- Providing appropriate infrastructure, facilities, services, accommodation for ships, goods, and passengers to meet future demand while ensuring the safe operation and sustainable development of the port and its approach waters.
- Optimising the use of the lands on the Port Estate through rationalising the distribution and location of specific areas of activity such as Ro-Ro, Lo-Lo, ferry services, cruise ships, liquid/bulk goods and storage areas with necessary reconfigurations of service facilities as required.
- Recover lands that are not being used for critical port activity and re-use for such activity.
- Developing quaysides adjacent to deep water to their maximum in accordance with environmental/licensing requirements.
- Using new and developing technology to increase throughput to its maximum.
- Identifying configurations for extending berthage and storage that mitigate impact on adjacent environmentally sensitive/designated areas.
- Providing adequate water depth to accommodate larger/deeper draught vessels in accordance with environmental/licensing requirements.

7. As noted, ABR Project made some progress towards ensuring that envisaged capacity can be met however higher growth trends anticipated in the review of the Masterplan requires further infrastructure to be provided which includes:

- Removal of port-related but non-core activities from Dublin Port (as envisaged in the DPC's Franchise Policy) to provide additional land for the transit storage of cargo.
  - *This project is being implemented through the creation of Dublin Inland Port in north Dublin.*
- Development of a Unified Ferry Terminal to rationalise the existing three separate terminals and, in doing this, to maximise the use of port lands.
  - *Forms part of the MP2 Project.*
- Development of the port's container terminals to maximise their throughput capacities.
  - *Forms part of the MP2 Project.*
- Development of necessary projects on the Poolbeg Peninsula to increase the port's Ro-Ro and Lo-Lo capacity utilising Port owned lands for port-related purposes.
  - *Forms part of future possible SID project(s).*

7.1.2 MP2 Project

8. The MP2 Project will deliver additional capacity for both the Ro-Ro and Lo-Lo modes. The focus of the MP2 Project is to complete the development of a single unified Ro-Ro ferry terminal to cater for a combination of traffic modes on multi-purpose ferries. These operators provide services to ports in Britain and, increasingly also, to ports in France. The various modes serviced by these ferries are:

- Driver accompanied freight vehicles.
- Unaccompanied freight vehicles.
- Passenger traffic either in vehicles or as foot passengers.
- Seasonal fast craft operations.

9. The proposed development illustrated on **Figure 1-3** 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 the now virtually redundant Oil Berth 4 on the Eastern Oil Jetty.
- The redevelopment and future-proofing of Oil Berth 3 as a future deep water container berth for the Container Freight Terminal. The future-proofing will facilitate the change of use of the berth from petroleum importation to container handling when the throughput of petroleum products through Dublin Port declines as a result of national policies to decarbonise the economy.
- 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.
- Provision of an interpretative heritage installation within a heritage zone amending the end of the permitted Port Greenway (Reg. Ref. 3084/16).
- Works to make provision for sufficient water depth through dredging at each berth (-13.0mCD) and within the River Liffey fairway (-10.0mCD) for the design vessels proposed.

10. The MP2 Project will complete development in this part of the port, Area C as identified in the Masterplan, for Ro-Ro ferry operations. The three long river berths 49, 52 and 53, together with Berth 51 and Berth 51A will provide capacity for the growth of three of the port's existing Ro-Ro ferry operators and provide capacity for a potential new operator.

11. The MP2 Project will also bring the development of capacity for Lo-Lo operations in Area D, as identified in the Masterplan, in the DFT Container Terminal, to a completion.

7.1.3 Impact of New Facilities on Ro-Ro, Lo-Lo and Passenger Throughput

12. DPC is planning to develop port capacity based on a projected average annual growth rate of 3.3% over the period from 2010 to 2040. The total envisaged increase in Dublin Port's capacity over the 30 years to 2040 is an increase of 48.3m gross tonnes per annum from 28.9m gross tonnes per annum in 2010 to 77.2m per annum by 2040.

13. As set out in the *MP2 Project: Project Rationale* prepared by DPC, and included as **Appendix A** to this Planning Report, the MP2 Project will increase Ro-Ro capacity throughput by 10.6m gross tonnes per annum (439,000 units) in Area C and Lo-Lo capacity throughput by 4.0m gross tonnes per annum (409,000 TEU) in Area D. By 2040 therefore the MP2 Project will specifically provide 30.2% (14.6m gross tonnes) of the increase in capacity required over the 23 years to 2040.

7.1.3.1 Area C Ro-Ro Facilities

14. With the MP2 Project in place the indicative daily increase in Ro-Ro throughput in Area C over the period 2018 and 2040 will be 61%. The growth in the volume of Ro-Ro freight to 2040 will come both on routes to the UK and on routes to Continental Europe. In addition to providing capacity for freight and combined freight/passenger ferries, the five berths in Area C will also provide capacity for seasonal fast craft services. Taking these uses together, **Table 7-1** below shows the indicative Ro-Ro freight throughputs in 2040 for the five berths in Area C.

Table 7-1: Indicative berth throughput capacity in Area C in 2040

Berth	MP2 (Unit pa)	Indicative Use
Berth 51	240,000	Freight services to Liverpool
Berth 51A	100,000	Fast craft passenger services and occasional use for freight.
Berth 49	350,000	Combined freight/passenger services to Holyhead.
Berth 52	350,000	Combined freight/passenger services to Holyhead.
Berth 53	240,000	Combined freight/passenger services to Continental Europe.
Total	1,280,000	

Source: Table 6: Indicative berth throughout capacities in Area C, MP2 Project: Project Rationale (Dublin Port Company)

15. The layout of the land area of Area C will be capable of being adapted to the requirements of the trade. An operational layout of Area C is shown in **Figure 5-7** (Drawing No. CP1770-ATK-01-ZZ-M2-CE-0002 prepared by Atkins Byrne Looby Consulting Engineers).

7.1.3.2 Area D Lo-Lo Facilities

16. With the MP2 Project in place the Lo-Lo development in Area D will result in the immediate loss of Oil Berth 4 and the planned cessation of petroleum imports through Oil Berth 3 at some point in the future as petroleum imports decline. DPC confirms that the immediate loss of Oil Berth 4 is of no consequence to the port's overall throughput capacity. Although the throughput and utilisation of Oil Berth 3 are also low, it provides essential back-up capacity in the event of an outage on Oil Berth 1 or Oil Berth 2. This is important given that petroleum imports through Dublin Port account for over 55% of national consumption.

17. The Eastern Oil Jetty, which contains Oil Berth 3 and Oil Berth 4, is now almost 60 years old and the requirement for major capital refurbishment works is foreseeable within the lifetime of the Masterplan. It is timely now to plan to complete this refurbishment and, by doing this, to future proof Oil Berth 3 for use for alternative purposes.

18. The development proposed in Area D will significantly increase both the berthage and the land area of the Container Freight Terminal. With the completion of the MP2 Project the indicative increase in Lo-Lo throughput will increase by 147% to 740,000 TEU per annum at 2040.

7.1.3.3 Passengers Ferry Facilities

19. Dublin is the country's largest port for cargo and both ferries and cruise ships. Over two million passengers passed through Dublin Port in 2018, the vast majority on ferry services to Holyhead, Liverpool and Cherbourg. Ferry passenger numbers are on an upward trend and the planned

introduction by major ferry operators of large new ships in the coming years will support a continuing increase in ferry passenger numbers not only on routes to Holyhead and France.

20. The overall development of Area C (both as a result of the works proposed within the MP2 Project and as a result of other Masterplan projects) will provide capacity for the continued growth of Dublin Port's ferry passenger business. In particular, Area C will be the only area in Dublin Port where passenger ferry services will operate.

7.1.4 Berth 53

21. As set out in the Masterplan, past proposals seeking to extend the port through the infill of 21 hectares at the eastern end of the port are no longer an option, DPC therefore requires all lands within the Port Estate to be committed to support the operational activities of Dublin Port.

22. To meet with the projected growth in volumes passing through Dublin Port, an additional river berth similar to Berths 49 and 52 is required to cater for the vessels which will visit the port.

23. Berth 53 will be used predominantly for the berthing of Roll On / Roll Off (Ro-Ro) ferries. The indicative Ro-Ro freight berth capacity in 2040 for the five berths in Area C (as indicated in the Masterplan) is 1,280,000 units per annum. Berth 53 will cater for 240,000 units per annum or 18.75% of capacity.

24. Berth 53 will accommodate the bow-to and stern-to berthing of a wide range of ferries up to 240m in length. The final design of Berth 53 has been developed via an iterative process, considering a wide range of environmental matters. A comparison of the environmental effects of the alternatives considered, indicates that it is the most sustainable option available and has thus been chosen as the final design. Chapter 4, Volume 2 of the EIAR provides a comprehensive account of the alternatives formulated and assessed with respect to design, technology, location, size and scale of Berth 53 as now presented.

25. The need for river Berth 53 is set out in the *MP2 Project: Project Rationale* prepared by DPC and included as **Appendix A** to this Planning Report.

7.1.5 Expansion East

26. The increased levels of throughput in Area C and Area D (as indicated in the Masterplan) will result in Dublin Port's throughput per unit of land area increasing to almost 283,000 gross tonnes per hectare per annum by 2040. The fundamental approach of the Masterplan to providing capacity in Dublin Port for the 77.2m gross tonnes per annum projected by 2040 is to maximise the utilisation of Dublin Port's existing brownfield lands rather than seeking to reclaim land from the foreshore or building new additional port facilities at a greenfield location. Construction of the MP2 Project is an essential step towards ensuring that Dublin Port is largely confined to its existing footprint and is based on a cornerstone of proper planning and sustainable development; the redevelopment of obsolete, redundant, brownfield land.

7.1.6 Landside Facilities

27. The proposed site layout plan is illustrated in **Figure 5-5** (Drawing no. CP1770-ATK-01-ZZ-M2-CE-0001 prepared by Atkins Byrne Looby Consulting Engineers).

7.1.6.1 Terminal 1 Building

28. It is proposed to retain the existing Terminal 1 Building as the Unified Ferry Terminal Building. An assessment of the maximum capacity of the building was been undertaken by the design team. The assessment considered the ability of the building to provide for the following:

- peak number of departing and arriving foot passengers;
- number of accompanied car/tourism passengers using facilities within the building; and;

- staff facilities required for unified operations of the building.

29. The assessment concluded that adequate capacity would be available for the predicted building use.

7.1.6.2 Terminal Yard

30. In order to improve efficiency and optimise the Ro-Ro yard area it is proposed to relocate all public access to the perimeter of the site leaving the internal area free for unified port operations. It is highlighted to the Board that the landside areas are divided into two areas; publicly accessible areas and areas within the ISPS restricted area.

Publicly Accessible Areas

31. Access to the ISPS restricted area can only be gained through the check-in areas or from disembarking vessels visiting the port. The Maritime Safety Directorate is the National Authority in Ireland for the purposes of International Ship and Port Facility Security and EU Regulation. National provisions on such issues are transposed into Irish law through the European Communities (Ship and Port Facilities) Regulation S.I. 413 of 2004. The ISPS Code mainly addresses the security aspects of the ship, seafarers, ports and port workers, to ensure preventive measures can be taken if a security threat is determined. The specification for the security fencing used by DPC has been designed to comply with the ISPS Code in place which provides for physical security measures. Details of this fence are illustrated in Drawing no. CP1170-ATK-01-ZZ-M2-CE-0051 prepared by Atkins Byrne Looby Consulting Engineers. This fencing has been permitted on other relevant sites within the port by Dublin City Council.

32. Infrastructure and works required to the public accessible areas outside the ISPS restricted area include upgrade to roads accessing the terminal yard, signage gantries, parking and set down areas, access arrangements and infrastructure to the terminal building from the public car park and drop off area, check in facilities, ESB substation, lighting, heritage feature and boundary treatment. The proposed layout of the landside elements are illustrated on **Figure 5-5**. Measures undertaken to improve the interface between the port boundary and areas external to the port are outlined under **Section 7.2.2** of this Planning Report.

ISPS Restricted Area

33. Infrastructure and works required inside the ISPS restricted area include regrading and engineering the surface of the yard to include for the provision of utilities and a drainage system. Other ancillary infrastructure required includes directional signage gantries, lighting towers and toilet blocks. The proposed site layout plan indicates locations for each of these items. The design team has also prepared a layout for the site which represents an operational terminal reproduced in **Figure 5-7**.

7.2 Principle of the Proposed Development

34. Dublin Port is a key part of the national port system and DPC seeks to ensure that it continues to play its role in providing national port capacity. The overall development of the MP2 Project will assist towards providing capacity for the continued growth of Dublin Port's ferry passenger business.

35. *Project Ireland 2040 National Planning Framework* recognises the role of ports and their ability to provide additional port capacity in a timely and predictable manner noting that port and shipping services play an important role as enablers of economic growth and are critical infrastructure for international trade, with over 90% of our international trade moving by sea. Airports and ports are vital to the nation's survival, competitiveness and future prospects. The NPF acknowledges *National Ports Policy* designation of Dublin Port as a Tier 1 Port of National Significance and states that the strategic development requirements of Tier 1 Ports, and Dublin Port in particular, be addressed as part of the *Regional Spatial and Economic Strategy*, metropolitan area and development plans. The *National Development Plan* highlights that significant investment in Ireland's airports and ports will play a major role in safeguarding and enhancing Ireland's international connectivity which is fundamental to Ireland's international competitiveness, trading

performance in both goods and services and enhancing its attractiveness to foreign direct investment. The NDP clearly states that the importance of this objective cannot be understated in the context of the UK's exit from the EU in 2019. It is submitted to the Board that the development principle of the MP2 Project is wholly consistent with national infrastructure policy and objectives for Dublin Port and international trade.

7.2.1 Compliance with the Dublin City Development Plan's Core Strategy

36. The core strategy of the Development Plan is to achieve the vision in a manner that is consistent with the guidance, strategies and policies at national and regional level. In accordance with this objective, the present proposal before the Board will seek to:

- Enable Dublin Port, a **Tier 1 Port of National Significance** as designated by the **National Ports Policy**, to make timely provision for the anticipated growth in volumes of both cargo and passengers. Dublin, as the centre of national economic activity and given the regional connectivity afforded by the road and rail networks, is the preferred location for the providers of shipping services to operate. Dublin Port needs to prepare for increases in ship sizes and the changing operational preferences of the providers of shipping services. Dublin Port also needs to be able to cater for a large increase in the number of ship arrivals each day. Dublin Port needs to re-configure port operations to best meet future capacity requirements without additional infill beyond the existing port boundaries. Existing infrastructure is approaching the end of its useful life and needs to be renewed and/or replaced.
- The very basis of the **National Planning Framework** is to promote more compact forms of development which focus on reusing previously developed, 'brownfield' land, building up infill sites which may not have been built on before, and, either reusing or redeveloping existing sites and buildings. The Dublin Port Masterplan is underpinned by this development model seeking to optimise the lands controlled by the port, the Dublin Port Company's Franchise Policy has assisted in achieving this strategy. The MP2 Project will greatly contribute towards DPC achieving the capacity to match growth throughput by 2040 on existing port lands.
- The NPF acknowledges the **National Ports Policy**'s designation of Dublin Port as a Tier 1 Port of National Significance and states that the strategic development requirements of Tier 1 Ports, and Dublin Port in particular, be addressed as part of Regional Spatial and Economic Strategies, metropolitan area and development plans. The **Eastern and Midland Regional Spatial and Economic Strategy** reflects national polices.
- As set above, Dublin Port's share of national volumes of Ro-Ro is 88.7% and in Lo-Lo is 72.6%, the implementation of the MP2 Project will increase growth throughput by 14.6m gross tonnes which represents 30.2% increase of the envisaged increase in the port's capacity over 30 years to 2040. Such infrastructural improvements will therefore assist Dublin in **attracting foreign investment** and firmly sustain Dublin as the **national gateway** and home to **drivers of the national economy** thereby enabling the City to further **compete at an international level in Europe and worldwide**.
- Seeks to ensure efficient use of **Z7 zoned lands** and their contribution to accommodating Dublin Port, a driver of the national economy.
- Provides a historical reference to Dublin's industrial heritage through the inclusion of inscription at the physical location of the Eastern Breakwater Pier Head and the creation of a heritage zone at the end of the permitted Port Greenway (Reg. Ref. 3084/16) which will provide a public realm visitor experience at the new eastern limit which will celebrate the cultural and natural heritage of the port where the public can continue to enjoy views of Dublin Bay. (in this regard, please refer to Chapter 14, Volume 2 of the EIAR for full details).

- Secures the ongoing maintenance and management of the port and how it coexists with Dublin Bay and its **environmental designations** (in this regard refer to Chapter 7, Volume 2 of the EIAR relating to Biodiversity as well as to the Draft Construction and Environmental Management Plan and NIS).
- Secures the provision for an appropriate level of public **accessibility** to the eastern most point of the port is in accordance with the green infrastructure policies of the Development Plan.
- Seeks to fulfil the rank, role and designation of Dublin Port as set out in national and regional policies and is therefore wholly consistent with the **core strategy** of the Development Plan.

7.2.2 Compliance with the Dublin City Development Plan's Zoning Objectives

37. The land use zoning objective for the port is mainly Z7 with a small portion included within Z9. The zoning objective for Z7 is "*To provide for the protection and creation of industrial uses, and facilitate opportunities for employment creation including Port Related Activities"*. Within the Z7 zoning *"port-related industries and facilities"* are permitted in principle. The Z9 Amenity/Open Space Lands/Green Network zoning objective is, "to preserve, provide and improve recreational amenity and open space and green networks". This zoning includes all amenity open space lands which can be divided into three broad categories: public open space, private open space and sports facilities in private ownership. With respect to lands zoned Z9 the plan states: *"the provision of public open space is essential to the development of a strategic green network…..Generally, the only new development allowed in these areas, other than the amenity/recreational uses, are those associated with the open space use…".*(page 246)

38. Within Chapter 16 of the Development Plan, Dublin City Council set out development management standards for various types of development in order to provide guidance to prospective applicants and developments. Section 16.21 deals specifically with development within Dublin Port and aspects of the development that will be rigorously assessed. It is highlighted to the Board that DPC has embraced the intent of the guidance provided with respect to its development of port lands. In assessing applications for development within the port the planning authority will consider the following items set out in bold italics. How the MP2 Project will address each item is set out thereafter.

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.

39. Dublin City Council 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* as set out in Policy SC9 states:

> *"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."*

The periphery of the port area facing residential areas shall be designed and landscaped to minimise the impact of its industrial character

40. The primary uses within the port are acknowledged in the Development Plan as those that can result in a standard of amenity that would not be acceptable in other areas. The Development Plan states that these uses can sometimes lead to disamenities which would need to be managed through the planning process to safeguard residential amenity when necessary. In this regard DPC has endeavoured to ensure that measures are put in place to reduce potential disamenities and safeguard residential amenity through its strategic objectives namely, '*Integrating with the City'* , *'Soft Values Projects'* and ongoing heritage programmes. These objectives are being delivered through development permitted under Reg. Ref. 3452/15 for Port Centre Precinct and the

contribution it has made to the public realm and integrating the port with the North Lotts. **Figure 7-1** provides a view of the design package which has now been implemented.

Figure 7.1 Dublin Port Precinct

Source: Dublin Port Company

41. Port Centre Precinct also fully integrates with Dublin Port's permitted new internal road network, cycle and pathways under Reg. Ref. 3084/16 which is under construction. This permission is for works to the port's private internal road network but includes works on public roads at East Wall Road, Bond Road and Alfie Byrne Road to provide an enhanced landscaping and amenity route along the northern boundary of the port. This c.4km route will give pedestrians and cyclists access to a perimeter route with vantage points overlooking the Tolka Estuary, which will assist towards Policy GI1 of the Development Plan[17]. The permitted landscaping will be undertaken in tandem with the wider road scheme. **Figure 7-2** provides an aerial perspective of the permitted greenway taken from the Landscape Impact Visual Assessment included with Reg. Ref. 3084/16 and figure 7.3 provides an extract from the design package.

[17] GI1 It is the Policy of Dublin City Council to develop a green infrastructure network through the city, thereby interconnecting strategic natural and semi-natural areas with other environmental features including green spaces, rivers, canals and other physical features in terrestrial (including coastal) and marine areas.

Figure 7.2 Greenway Aerial Perspective

Source: Reg. Ref. 3084/16

Figure 7.3 Greenway Image

Source: Dublin Port Company

42. The MP2 Project proposes to alter those measures permitted under Reg. Ref. 3084/16 along the eastern boundary of the site to further enhance the public realm with the creation of a heritage zone into which an interpretative art installation will be inserted. The details of this are set out in the *Industrial Heritage Impact & Compensation Planning & Design Report* prepared by MOLA Architects included as part of the application, Section 5 Volume 2 of the EIAR and summarised in **Section 5.1** of the Planning Report. A representation of the proposal is illustrated in **Figure 5-9.**

43. In this regard, it is submitted that quality landscape design measures with respect to visually amenity are being provided by DPC in a staged manner at appropriate locations around the periphery of the port in order to safeguard residential amenity thereby improving its interface and profile with neighbouring uses.

The protection of the amenities of residential and commercial uses in adjoining areas

44. Residential and commercial areas closest to the port are generally located to the north at Clontarf, Dollymount, Sutton and Howth, to the east at Fairview, East Wall and North Lotts and to the south at Sandymount, Ringsend and emerging areas within Poolbeg West.

45. The character of the port and Poolbeg Peninsula is dominated by the port and major infrastructural utilities. North and south of the Liffey channel is surrounded by tall building and structures in a busy harbour context with the twin stacks of the Poolbeg Power Station at 210m tall signalling the gateway to Dublin Port. Large structures located within the port itself include primary and secondary handling equipment which consist of rail mounted gantry cranes, dock mobile cranes and reach stackers required to move cargo off/on vessels onto/from the quayside and then onto/off vehicles for transport. Ferries, cruise ships, container vessels and tankers are a regular feature and significant in their scale once located quayside between Berth 53 and North Wall Quay.

46. The proposed development site is largely contained at the eastern end of the port area and seeks to upgrade and consolidate lands on which existing port related activities currently take place and which are permitted. New structures proposed include ramps, linkspans, lighting, gantries and jetty wall infrastructure. Jetty wall infrastructure associated with Berth 53 does extend further eastward and measures have been incorporated as part of its overall design to ensure that it is no longer than required. This has been achieved through the proposed readjustment of Berth 52 as permitted under the permission for the ABR Project (Board Ref. PL29N.PA0034).

47. As the character of the port is in a constant state of change as cranes, ships and cargo move around the port and channel on a continuous basis therefore the proposed development is completely consistent with the key features of the existing character in this area and will all be read in the context of the existing port environment. This is illustrated in the verified views included as part of the application and assessed as part of the Landscape and Visual Impact Assessment (LVIA) as reported within the Chapter 15 Volume 2 of the EIAR.

48. Included as part of the LVIA is an assessment of the proposed development at night. The addition of lighting to existing night views of the port area will result in an increase in sky glow on the night time views from areas around the port although this will be barely perceptible in the context of the level of sky glow in the eastern side of Dublin City. New lights along with illuminated ships will also have the effect of drawing attention to the new MP2 Project facilities at night. Such lights will be read against the background of significant existing lights in the Dublin Port area and the impact is predicted to be negligible adverse for night time views where such views are available.

49. The EIAR submitted as part of the application details mitigations measures to be undertaken as part of the proposed development to ensure that the amenity of residential and commercial uses in adjoining areas are ameliorated. These measures relate to traffic, noise and air quality. With implementation of these measures it is submitted to the Board that the proposals included in this application will not compromise the amenity of residential areas closest to the port.

Design criteria including landscaping, finishes, signage and site layout

50. The design and finish to the boundary treatments proposed are required to meet with DPC's obligation with regard to physical security measures and also ensure the health and safety of those enjoying the permitted waterside walk and proposed heritage installation at its terminus. It is submitted that materials and finishes proposed while meeting functional and security specifications also are of a high design and finish and are of good quality. It is highlighted that the boundary between the unified ferry terminal and the waterside consists of the pedestrian and cycleway permitted as part of Reg. Ref. 3084/16. As noted previously noted the proposed development includes an addition to this green amenity route with the insertion of heritage installation at the eastern terminus of the port as illustrated in **Figure 5-9**. The details of this are set out in the *Industrial Heritage Impact & Compensation Planning & Design Report* prepared by MOLA Architects included as part of the application, Section 5 Volume 2 of the EIAR and summarised in **Section 5.1** of the Planning Report.

51. The LVIA contained within Chapter 15 Volume 2 of the EIAR states that the heritage installation fully compliments and enhances the Port Greenway with a beneficial impact locally at the site of the terminus. In wider views however, the heritage installation is difficult to view due to its location on the eastern most edge of Dublin Port and the limited scale of the heritage installation in the context of the larger scale port facilities that lie adjacent. When potential cumulative landscape

and visual impacts are considered, for the heritage installation and the MP2 Project, no significant effects are predicted although it is a positive addition to the Port Greenway.

The 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)

52. The spatial configuration of Natura 2000 sites and other environmental designations and their relationship with the proposed development are presented and assessed in Chapter 7, Volume 2 of the EIAR and the separate Appropriate Assessment Screening and Natura Impact Statement submitted with this application for permission

Facilitating plans to make Dublin a 'home port' for cruise tourism, with complementary cruise tourism facilities in the port and wider city/region.

53. Landside provision for cruise ships will be delivered to complement the waterside facilities permitted as part of the ABR Project (Board Ref. PL29N.PA0034). In the meantime, these vessels are being accommodated on available berths on demand. Further proposals do not form part of this project.

54. It is submitted to the Board that the development proposal directly complies with the specific provisions in the Development Plan relating to the 'Z7' zoning objective for the development site.

7.2.3 Compliance with the Development Plan's Policies specific to Dublin Port

55. As set out in **Section 6.0** of this Planning Report, Dublin City Council fully supports and recognises the important national and regional role of Dublin Port in the economic life of the region and the consequent need in economic competitiveness and employment terms to facilitate port activities. This is confirmed in Development Plan policy SC9 and CEE23(iii) which state:

> *"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."*
>
> *"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."*

56. The MP2 Project forms part of the Masterplan for the overall development of Dublin Port and this is recognised and acknowledged in the statutory Development Plan.

7.2.4 Compliance with Development Plan's Objectives relating to Industrial Heritage

57. The built heritage of the port is essentially industrial archaeological heritage rather than architectural heritage. The heritage consists primarily of engineering works. As part of the proposals to lengthen Berth 50A demolition of the Eastern Breakwater Pier Head is required. A *Conservation Strategy and Industrial Heritage Appraisal Document* prepared by Southgate Associates Engineering Conservation Consultants, included as part of the application, evaluates this item which is included on the Dublin City Industrial Heritage Record but is not included on the Record of Protected Structures.

58. An over-riding concern is that the cultural significance of Dublin Port as a deep-sea port is retained. This significance is threatened if the port loses its ability to handle larger ships. DPC is mindful that conservation of historic or interesting features is a key planning consideration but unlike in the past where the port continued to expand eastwards into Dublin Bay and left historic quayside structures behind to become part of City, it has now to re-engineer existing facilities that

are part of the working port. It cannot afford to leave and abandon redundant infrastructure but must repair, reconfigure or adapt as required.

59. DPC has adopted a best practice approach to conservation on the site to preserve the cultural significance of Dublin Port as a deep water port. The Pier Head will be removed, and this work will be archaeologically monitored. The former location of the Pier Head will be recorded on the adjacent section of new quay at Berth 50A. It is expected that elements of the original Eastern Breakwater exist under Breakwater Road, and that these elements will survive in situ beneath Berth 50A. Archaeological monitoring of ground and seabed disturbance activities will take place across the MP2 Project area, ensuring that a robust record is maintained and that any new archaeological observations are resolved fully.

60. The stonework from the pier head will be salvaged and incorporated into a new public realm element that celebrates the heritage of the port. Proposals to commemorate the historic development of the port and its evolution are included within an interpretive heritage zone. These proposals are further detailed in the *Industrial Heritage Impact & Compensation Planning & Design Report* prepared by MOLA Architects included as part of this application. The assessment of the proposed development with respect to industrial heritage is further detailed in Chapter 14 Volume 2 of the EIAR.

7.2.5 Compliance with Development Plan's Objectives relating to Seveso

61. The proposed development is within the vicinity of several establishments that fall within the scope of the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (the COMAH Regulations). Map F of the Development Plan identifies the locations of 'Seveso' designated sites. The Calor and Indaver establishments to the west of the development northern side of the Tolka Quay Road are of particular importance to the proposed development.

62. The proposed development does not propose works to these sites although operations will take place on adjacent lands as part of the normal day to day operation of the port. Each of the existing Seveso sites, within Dublin Port, has its own Seveso Plan. This is compiled by the tenants in question and is approved by Dublin Fire Brigade. Safety exercises and routines are frequently carried out involving the emergency services including the Gardaí, Fire Brigade, Civil Defence and the Health Service Executive in order to ensure adequate preparedness and co-ordination of responses in the event of an emergency. In the event of emergency procedures set out in the DPC Emergency Management Plan will be followed.

63. Byrne Ó'Cléirigh Consulting Engineers conducted a *COMAH Land Use Planning Assessment* for the MP2 Project, the purpose of which was to examine the development in the context of the Health and Safety Authority's COMAH land use planning guidance, and to identify the types of development that may be compatible with the COMAH risk zones applicable establishments.

64. A comprehensive analysis has been undertaken of the proposed development, this is set out in detail in Chapter 4 Risk of Major Accidents, Volume 2 in of the EIAR which concludes that the potential direct and indirect major accident and disaster risks arising the proposed development satisfy the HSA's COMAH land use planning guidance.

7.3 Consideration of Alternatives

65. As set out in **Section 6** of this Planning Report, Dublin Port is designated by the *National Ports Policy* as a Tier 1 Port of National Significance. The *National Planning Framework* acknowledges the National Ports Policy's designation of Dublin Port. Existing infrastructure is approaching the end of its useful life and needs to be renewed and/or replaced. The very basis of the *National Planning Framework* is to promote more compact forms of development which focus on reusing previously developed, 'brownfield' land, building up infill sites which may not have been built on before, and, either reusing or redeveloping existing sites and buildings. The *Dublin Port*

Masterplan 2040, Reviewed 2018 is underpinned by this development model seeking to optimise the lands controlled by the port, the Dublin Port Company's Franchise Policy has assisted in achieving this strategy. The MP2 Project will greatly contribute towards DPC achieving the capacity to match growth throughput by 2040 on existing port lands. In this regard the location development within Dublin Port is fully endorsed in national spatial and port policy.

66. The design solution for the MP2 Project was finalised as part of the iterative environmental impact assessment process. Consideration given to location and design of each element in order ensure that the final design was fit for purpose and meets the needs of Dublin Port. An outline of the main alternatives studied and an indication of the main reasons for final project, taking into account the environmental effects are set out in Chapter 4, Volume 2 of the EIAR.

7.4 Duration of Permission

67. This application seeks permission for an appropriate period of 15 years in order ensure that the entire development as proposed is implemented as a single permission.

68. The reason underpinning the applicant's request for a 15-year period is that there is an overriding imperative to ensure that Dublin Port continues to operate effectively during the construction process to facilitate different terminals to operate without any loss of service. It is noted that only minor works may be carried out in tandem while others will need to be carried out sequentially where works for one element cannot commence until an earlier related element is concluded. Works to berths must occur in a sequential basis as the port must remain open for operational throughout therefore simultaneous works to berths is not a construction programming option available to the applicant.

69. Both the permitted ABR Project and the proposed MP2 Project are part of the Dublin Port Masterplan which covers the period up to 2040. Projects defined in the Masterplan have been planned and designed as part of a structured and integrated development programme that considers the complex environmental impact and cumulative effects of their construction and ultimate delivery. Specific and comprehensive mitigation measures, through scheduling for avoidance and limiting overlap of these projects and sensitive periods with respect to environmentally designated areas adjacent to the site, have been prescribed to ensure that there will be little impact due to cumulative effects. This is reflected in construction programme for implementation of the MP2 Project as set out in Chapter 3, Volume 2 of the EIAR.

70. Based on its experience with respect to the ongoing delivery of the ABR Project, DPC estimate that the overall length of time required to construct the development to be 122 months. Critically however there will be gaps between each package to allow for other consents to be secured (e.g. Foreshore Licence), design development, procurement, compliance agreements, therefore a 15-year permission is being sought.

71. In this regard the construction programme has being broken into two main phases to deal with marine and land side construction works. The construction of the MP2 Project can be further classified into 11 parts as follows and which are illustrated on **Figure 5-10**:

- Northern access road (Phase L1 – 6 months).
- Adjustment of the permitted Berth 52 layout to accommodate the proposed new Berth 53. Work will commence at the same time as Phase L1. Piling works on this element will not take place during March and May. Construction works on this element will not take place during extreme low Spring Tides (Phase M1– 33 months).
- Construction of a new Ro-Ro berth – Berth 53, with dredging, scour protection mattresses and wash protection structure. This phase will commence after Phase M1 is completed. Construction works on this element will not take place during extreme low Spring Tides (Phase M2 – 24 months).

- Eastern access road will commence after the Phase M2 (Phase L2 – 6 months).
- Redevelopment and optimisation of the ferry terminal yard. (Phase L3 – 12 months).
- Channel dredging works will be carried out after the dredging of Phase M2 (Phase M3 – 1 month between October and March).
- Jetty Road quay wall will commence after the completion of Phase M3 (Phase M4 – 12 months).
- Construction of new quay at Oil Berth 03 and infilling of the basin at Oil Berth 04 will occur after Phase M4 is completed (Phase M5 – 12 months).
- Extension of Berth 50A by the removal of the existing Port Operations Building and the Pier Head of the Eastern Breakwater will occur after Phase M5 is completed (Phase M6 – 15 months).
- Dredging at Berth 50A to accommodate future vessels will commence on completion of Phase M6 (Phase M7 – 1 month).
- Heritage Installation (Phase L4 – 9 months).

72. The MP2 Project consists of the redevelopment of existing terminals which are and must remain operational as construction takes place, as areas in which construction work is proposed are in daily use and dealing with throughput of cargo from/to berthed vessels.

73. All relevant environmental assessments in respect of the MP2 Project undertaken at this stage are on the basis of a 15-year construction period. These assessments are presented within the EIAR and NIS submitted with this application in order to enable the Board, as the competent authority, to complete the assessments required by the Habitats and EIA Directives.

7.5 Movement and Access

74. It is proposed to provide the Unified Ferry Terminal at the eastern end of the port to facilitate Ro-Ro operators such as Irish Ferries, Stena and P&O within a combined space. At the conclusion of the MP2 Project this area will comprise approximately 34.4 hectares of hardstanding space. The landside area within the ISPS restricted area will be capable of being adapted to the requirements of the trade, and will generally be split into staging areas for accompanied freight, accompanied tourist vehicles and unaccompanied trailers. The public access to the perimeter of the site outside the ISPS will lead to the area for staff parking and set/down pick up. **Figure 5-6** shows the vehicular access routes for Unified Ferry Terminal.

75. A State Services facility is permitted as part of the Interim Unified Ferry Terminal (IUFT) Project to the north of the Unified Ferry Terminal (Reg. Ref. 3638/18). All vehicles using the Unified Ferry Terminal will be required to depart via this area where checkpoint and inspection facilities are provided for An Garda Síochána, Revenue and the Department of Agriculture, Food & Marine.

76. Existing vehicular exit onto Tolka Quay Road and the vehicular entry and exit routes at Breakwater Road South for the Freight Container Terminal will remain.

77. Specific to the MP2 Project, Chapter 13 Traffic & Transportation Volume 2 of the EIAR sets out the context within which the port is set with regard to connections and accessibility to road and rail. The main components that provide a high level of accessibility for the MP2 Project are the:

- Consented active travel measures incorporated within the internal roads scheme to connect the MP2 Project to the city;
- Existing density of active travel facilities available in Dublin City Centre;

- Existing density of sustainable travel facilities in Dublin City Centre including bus, rail, DART and Luas;
- Existing provision of cycle locker facilities of the Port Centre public realm scheme to facilitate multi-modal journeys by sustainable travel;
- Proposal for DPC to subsidise the provision of a shuttle bus service to the MP2 Project;
- Proposed connectivity on foot and by cycle to the Unified Ferry Terminal footprint; and
- Proposed commitment to a Mobility Management Plan for the MP2 Project.

78. To ensure a high quality public transport service between the Unified Ferry Terminal and the density of sustainable transport services located at the perimeter of the Port, DPC is prepared to provide finance, of up to €100,000 for a period of five years (€500,000 total) to a shuttle service operating to create a connection between the Unified Ferry Terminal, the DART in Clontarf and the LUAS at the Point. It would link into East Point Business Park, have multiple stops throughout the northern Port estate and connect with the ferry terminal building at Unified Ferry Terminal.

79. The proposed MP2 Project will in no way impact on the potential extension of the Luas as currently included in NTAs *Transport Strategy for the Greater Dublin Area for 2016-2035*. The MP2 Project does not affect the existing operations of the freight trains within the Port Estate. The proposed land elements of the works will not impede on the existing railway lines present within the MP2 site boundary. Further detail is provided within Chapter 13 Traffic & Transportation Volume 2 of the EIAR.

80. An outline Mobility Management Plan is included in Chapter 13 Traffic & Transportation Volume 2 of the EIAR and it sets out the type of measures which will be adopted by the operator(s) to ensure that the sustainable transport facilities are made available and are utilised by the users of the MP2 Project. It is envisaged that the Mobility Management Plan for the Unified Ferry Terminal and Container Freight Terminal will, in the fullness of time, fall under the hierarchy of the port wide Transport/Travel Plan as the Masterplan continues to be implemented over the next 21 years.

7.6 Brexit

81. DPC's position with respect to the UK leaving the EU is set out in the *MP2 Project: Project Rationale* included as **Appendix A** to this Planning Report. DPC notes that following the referendum in the UK in June 2016, patterns of trade have changed with increased growth on services between Dublin and ports in Continental Europe such as Rotterdam, Zeebrugge and Cherbourg. With regard to the withdrawal of the United Kingdom from the EU parts of the North Sea – Mediterranean Core Network Corridor alignment will become obsolete. Recognising this Regulation (EU) 2019/495 amending Regulation (EU) No 1316/2013 provides for a realignment of the corridor once the United Kingdom leaves the EU.

82. The consenting phase of the MP2 Project coincides with Brexit and the construction and operational phases of the project will take place in the aftermath of Brexit. In the context of the long life cycle for the development and operation of port infrastructure, the impacts of Brexit will be short-term however given the ports experience of a cyclical economy it is expected that in the long term the effects of Brexit as the MP2 Project is constructed and comes into operation will not be significant. In this regard the additional capacity of Berth 53, of the extended Berth 50A and the future availability of Oil Berth 03 as a Lo-Lo berth all facilitate the provision of services to support changing trade patterns which are already evident with increased deployment of new large ships on direct routes to Continental Europe.

83. The implications of Brexit are set out in the *MP2 Project: Project Rationale* prepared by DPC and included as **Appendix A** to this Planning Report .

7.7 Community Gain

84. Under section 37G(7) of the Planning Act, the Board may attach a condition to a permission that requires:

> *"(i) The construction or the financing, in whole or in part, of the construction of a facility, or*
>
> *(ii) The provision or the financing in whole or in part, of the provision of a service, in the area in which the proposed development would be situated, being a facility or service that, in the opinion of the Board, would constitute a substantial gain to the community."*

85. **Appendix C** of this Planning Report contains a description of the community gain proposal submitted by DPC. DPC submits that it could be included by way of condition in any permission by the Board for the proposed development. This proposal has followed on from consultations with Dublin City Council, local communities and interested parties and has found widespread support. In outline it consists of the following elements:

- First, DPC will 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. The structure for the delivery of the funding and for the development of the City Farm will need to be confirmed in an agreement between Dublin City Council and DPC and will be the subject of a distinct Part 8 consent by DCC.
- Secondly, on a grant of permission for the MP2 Project, DPC will 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 in accordance with a scheme to be developed with local schools and key stakeholders.

86. All of these sums will be in addition to the current community based initiatives and special projects that DPC is undertaking

87. It is submitted to the Board that there will be considerable gain to the local communities and to Dublin as a whole.

7.8 Environmental Impact Assessment Report (EIAR)

88. An EIAR has been prepared in respect of the proposed development. The EIAR has been prepared in accordance with the requirements of the EIA Directive (Directive 2011/92/EU as amended by 2014/52/EU), Schedule 6 of the Planning and Development Regulations 2001 (as amended by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018).

89. The EIAR has also been undertaken having regard to, *inter alia*:

- the requirements of EU Directives and Irish law regarding Environmental Impact Assessment
- European Commission Environmental Impact Assessment of Projects Guidance on the preparation of the Environmental Impact Assessment Report (Directive 2011/92/EU as amended by 2014/52/EU)(European Commission, 2017);
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment 2018
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (Environmental Protection Agency, Draft August 2017);
- draft Advice Notes for Preparing Environmental Impact Statements, (EPA 2015);

- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Department of the Environment, Community and Local Government 2013).

90. In addition, specialist disciplines have had regard to other relevant guidelines, as noted in the specific chapters of the EIAR.

91. It is highlighted to the Board that site-specific scientific data collected to date on foot of the ABR Project was used to support the preparation of the EIAR for the MP2 Project and serves to illustrate the depth of understanding of the environment in and around Dublin Port, including the inner Liffey channel (Dublin Harbour) and Dublin Bay.

92. The preparation of the EIAR was further assisted by the extensive environmental datasets collated during the preparation of the Strategic Environmental Assessment (SEA), for the purposes of the review of the Dublin Port Masterplan during 2017 and 2018.

93. Additional survey work has been undertaken in order to provide up-to-date baseline information on which to undertake the environmental assessments, in addition to the site-specific information from the existing databases from official sources.

94. The EIAR (Volumes 1, 2 and 3) enclosed with this application provides a comprehensive account of the potential environmental impacts and any mitigation measures proposed. Each topic of environmental assessment is considered as a separate chapter and is drafted by relevant specialists. The EIAR is presented in three volumes of the application documentation, as follows:

- Volume 1 EIAR Non-Technical Summary
- Volume 2 EIAR Main Document (Part 1 & Part 2)
- Volume 3 EIAR Appendices (Parts 1, 2a, 2b, 3, 4).

95. The production of the EIAR has been co-ordinated by RPS. The EIAR structure, responsibility and qualified input for each chapter are detailed in Table 1.1, Chapter 1 Volume 2 of the EIAR.

96. An overall listing of mitigation measures proposed is provided in Chapter 19 of the EIAR and within the *Summary of the Mitigation Measures* prepared by RPS and is enclosed as part the application documentation.

7.9 Natura Impact Statement (NIS)

97. Article 6 of the Habitats Directive provides a strict assessment procedure for any plan or project not directly connected with or necessary to the management of a designated European site, but which has the potential to have implications for the site in view of the site's conservation objectives.

98. A Natura Impact Statement (NIS) has been prepared as part of a Habitats Directive appraisals document and is submitted with the application for permission.

8 CONCLUSIONS

1. The proposed development will be a vital component in sustaining a key economic driver of Ireland's economy by removing capacity constraints to throughput of trade. The MP2 Project will enable Dublin Port to keep pace with developments in shipping internationally where larger ships are becoming the industry norm. The application documentation (including where applicable the EIAR and NIS) have addressed all the planning and environmental issues that arise with a development of this nature in this location.

2. DPC has engaged and responded to interested parties to successfully address challenging issues in relation to the conservation within the port itself and the context within which it is located.

3. The proposed development complies with all statutory plans, guidelines, policies and objectives at EU, national, regional and local levels and with its own Masterplan. In particular it positively addresses the responsibilities placed on DPC under EU and *National Ports Policy*.

4. The proposed development will also be in accordance with:

   (a) The objectives of the Department of Transport's *National Port Policy 2013* and Department of Housing, Planning and Local Government's *National Planning Framework* 2018 to facilitate the development of the port at this site;

   (b) The objectives of the EMRA set out in the *Regional Spatial and Economic Strategy* translating national policy to the region with respect to the port; and;

   (c) The policies and objectives of the *Dublin City Development Plan 2016-2022*, including Policy SC9 and CEE23(iii).

5. Finally, in circumstances where the MP2 Project will continue the long-established use of Dublin Port and further the objective of its Masterplan (which is supported at all levels of the planning policy hierarchy), the proposed development will be in accordance with proper planning and sustainable development.