3FMProject

Bringing
Dublin Port
To 2040

Planning Report

COMHLACHT CHALAFORT ÁTHA CLIATH
DUBLIN PORT COMPANY

rps
A TETRA TECH COMPANY

Third & Final
Masterplan
Project

Contents

Tables

Figures

Appendices

1 INTRODUCTION

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 at Dublin Port. The proposed development is titled the 3FM Project for the purposes of this application for permission.

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

1.1 Purpose and Structure of this Report

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 planning application.

The structure of this Planning Report 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: **Applicable Planning Legislative** – Strategic Infrastructure Development, Environmental Impact Assessment Report process and Appropriate Assessment process.

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

Chapter 4: **The Application Site** – Site characteristics and planning history.

Chapter 5: **Proposed Development** – Description of the 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**.

A description of operations which take place within Dublin Port is provided in **Appendix A** 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.

1.2 Details of the Applicant

The details of the applicant are:

Registered Name:	Dublin Port Company.
Registered Address:	Port Centre, Alexandra Road, Dublin 1, D01 H4C6.
Company Directors:	Jerry Grant (Chairperson), Michael Brophy, Denise Cronin, Michael Hand, Berna Grist, Michael Lennon, Mairéad Ní Cheóinín, Bernard Power.
Company Registration No.	262367.

1.3 Details of the Project Team

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.

A design team, led by Mark McConnell of RPS Consulting Engineers and Tim Darmody of Darmody Architects, has advanced the scheme from concept through to planning design stage since the team's initial appointment in 2019.

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.

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

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

1.4 Need for the Development

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. Dublin Port is the largest port on the island of Ireland and is an essential link for the country's international trade and transport requirements. In 2023, Dublin Port handled 83% of Ireland's Roll on-Roll off freight (Ro-Ro)[2] traffic[3] and 73% of Lift on-Lift off freight (Lo-Lo)[4] units. Over 1.7 million passengers passed through Dublin Port in 2023, an increase of 3.4% on 2022.

Dublin Port is a core element of the Irish 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.

DPC prepared the Dublin Port Masterplan 2012-2040 which charts the planned development of Dublin Port and elements needed to fulfil its important national role and function as a designated port. To bring it to its ultimate capacity by 2040, development has focused, to date, on the north side of the River Liffey and at Dublin Inland Port, located north of the M50.

On the Port Estate,

- In 2015, DPC obtained a 10-year permission for the first phase of the Masterplan, the Alexandra Basin Redevelopment (ABR) Project (Board Ref. PL 29N.PA0034). The ABR Project is under construction.
- In 2018, DPC prepared the Dublin Port Masterplan 2040 Reviewed 2018 which included an envisaged increase in Dublin Port's capacity to 2040 to be 77.2m gross tonnes per annum, 3.2m trailers and containers in the Ro-Ro and Lo-Lo modes.

[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 were 319 ports identified in the network. 83 (including Dublin) were in the *core* network and 236 were in the *comprehensive* network. The networks have since expanded to include additional ports.

[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] This traffic consists of freight vehicles, freight trailers, containers, coaches, passenger cars, trade vehicles and specialist trailers.

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

- In 2020, DPC obtained a 15-year permission for the MP2 Project (Board Ref. ABP-304888-19), it will provide 30.2% of the increase in capacity required. The MP2 Project has commenced construction.
- In 2020, at the 44ha Dublin Inland Port in north County Dublin full planning permission was granted for one site of 22ha[5].This facility will provide capacity for port-related but non-core activities which have been removed from Dublin Port to meet one of the objectives of DPC's Franchise Policy[6].
- In 2021, the United Kingdom left the EU resulting in the permanent reallocation of lands in the North Port Estate to State authorities for the carrying out of customs functions consequent on Brexit. The impact of the loss of these lands for port purposes has led to an estimated reduction in 2040 capacity of 3.4m tonnes per annum to produce a revised 2040 throughput of 73.8m tonnes per annum, 90% of which is accounted for by the 3.0m trailers and containers in the unitised modes of Ro-Ro and Lo-Lo [7].
- In 2023, the continuing of softening measures at the interface between the Port and City through a public realm project stretching from the Liffey and the Tolka rivers was granted permission by Dublin City Council (DCC) and upheld by the Board following a third-party appeal[8]. DPC are preparing tender documents for Phase 1 from North Wall Quay Extension to Alexandra Road. These works will complement external works completed around Port Centre and the redeveloped Substation[9] at the corner of Alexandra Road housing the port's interpretative centre, and enhanced linkages to the Graving Docks Heritage Area[10].
- In 2024, the project to redevelop the port's internal road system has been completed and work is underway to complete a network of cycle and pedestrian routes throughout and on the periphery of the port, the Tolka Estuary Greenway[11].

DPC is now focusing its attention on the completion of Masterplan 2040 by bringing forward the 3FM Project to:

- Provide 20% of the capacity that will be needed by 2040 on almost one fifth of Dublin Port's lands located on the Poolbeg Peninsula.
- Complete the development of Dublin Port's overall road network to entirely remove port traffic from the existing public road network in the vicinity of Dublin Port on both side of the River Liffey.
- Complete a series of public realm and active travel projects which mirror similar developments already in place or underway on the north side of the port to meet the Masterplan 2040 objective to integrate Dublin Port with the City.

To meet the forecast demand, DPC therefore needs to develop Dublin Port lands on the Poolbeg Peninsula to, firstly, provide a total annual capacity for 684,000 unit loads (trailers and containers), secondly provide a southern port access route to the M50 Tunnel and, thirdly, to provide infrastructure and facilities to support the objective to re-integrate Dublin Port with Dublin City and celebrate Port Heritage.

The need for, and benefits of, the project are explained in detail in the Project Rationale set out in Chapter 2, Volume 2 of the EIAR.

---

5 Dublin Inland Port - Masterplan 2040, Figure 4, Page 43 and Fingal County Council grant of planning permission

6 Franchise Policy, 2014

7 This equates to the Masterplan 2040 target of 77.2m tonnes, but reduced by 3.4m tonnes to allow for the assumed permanent loss of 7ha of freight yards to State Brexit facilities. There are currently 14ha of land in use for such facilities, and it has been assumed that 50% of these lands will ultimately be returned for use as transit freight storage yards.

8 Liffey Tolka Public Realm - https://www.pleanala.ie/en-ie/case/312692

9 DCC Reg. Ref.2681/20

10 Part of the Heritage Proposals for the ABR Project.

11 Roads Project – Masterplan 2040, Figure 6, Page 47

1.5 3FM Project

The proposed 3FM Project incorporates the following:

- Conversion of the existing Lo-Lo container terminal currently operated by Marine Terminals Limited (MTL) to become a new Ro-Ro terminal which will be supported by an existing hardstanding area generally to the south of Dublin Waste to Energy facility and South Bank Road via an extension to South Bank Road to link with Shellybanks Road. The three parcels totalling 18.2ha identified as Area K1, Area K2 and Area O in the Dublin Port Masterplan will be developed to provide additional port capacity and provide a Ro-Ro terminal with an annual capacity of 360,000 units.
- Relocation of the Lo-Lo container terminal operated by MTL and its expansion onto a new open-piled platform structure constructed over the Liffey River north of the Poolbeg Generating Station with access from Pigeon House Road. This terminal will be supported through the reuse of a waterside yard at South Bank Quay. The two parcels totalling 13.7ha identified as Area N and Area L as identified in the Dublin Port Masterplan will be developed to provide additional port capacity and provide a Lo-Lo container terminal with an annual capacity of 324,000 units.
- A ship turning circle will be developed to facilitate larger vessel manoeuvres from river berths north of Area M as identified in the Dublin Port Masterplan.

These areas will be linked to the North Port Estate and M50 Tunnel through the development of a new bridge and road providing a Southern Port Access Route (SPAR). This route will connect into the internal port road network in the north port at Alexandra Road and run along a north south axis, east of East Wall Road, over the River Liffey east of Tom Clarke Bridge and turning east, north of R131 until moving south of the Poolbeg Yacht Club onto Pigeon House Road and through the existing Lo-Lo container terminal operated by MTL before joining the existing road network at Whitebank Road.

The development also includes for the:

- Relocation of Port Operations from its location in the North Port Estate and housed in an architecturally designed building next to a new maritime village campus and associated berthage replacing and enhancing existing rowing and sailing clubs' facilities on the peninsula.
- Provision of approximately 5ha of the port estate to be brought forward to provide new public realm and open spaces largely contained within a Port Park and Wildflower Meadow, a Coastal Park, and an extension to the Irishtown Nature Park, together with 7.0km of new and upgraded active travel foot/cycleways, 4.9km of new or upgraded footway and heritage interpretations and interventions meeting the Dublin Port Masterplan objective to integrate Dublin Port with Dublin City.

The proposed 3FM 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.

The location of the site is shown on **Figure 1-1**.

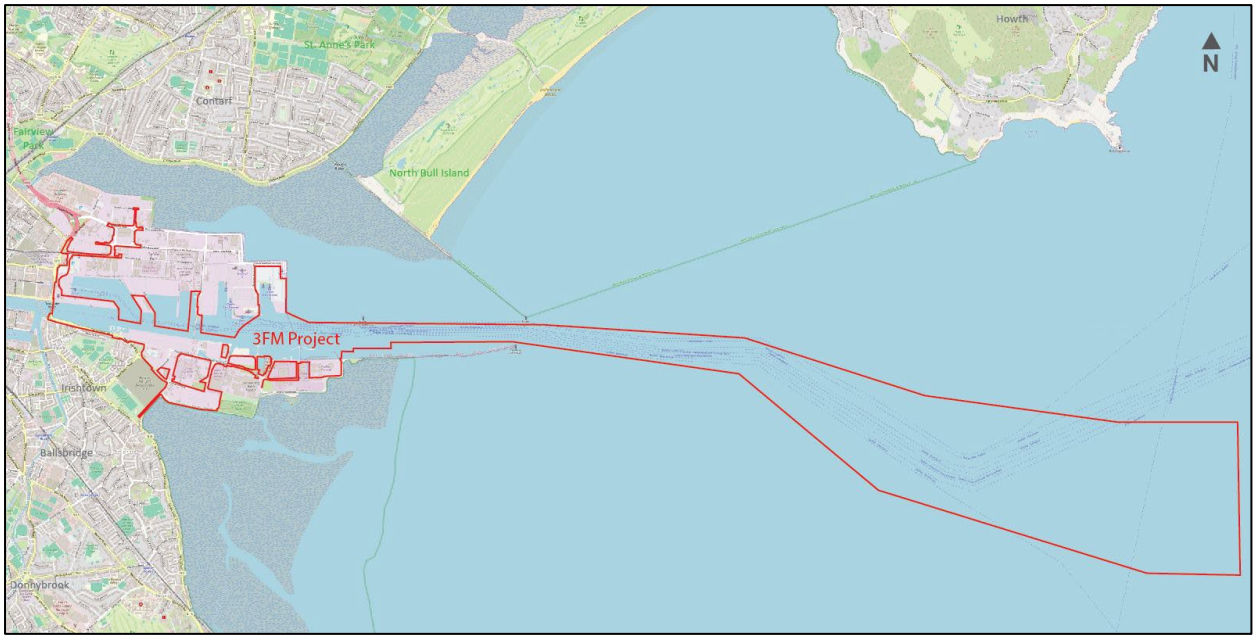

Figure 1-1: Site Location
Source: Based on OSi

The proposed development is described in detail on the statutory notice and Chapter 5, Volume 2 of the EIAR. The overall general arrangement is provided in Drawing Nos. CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0005 and CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0006 prepared by RPS. **Figure 1-2** illustrates the General Arrangement Layout.

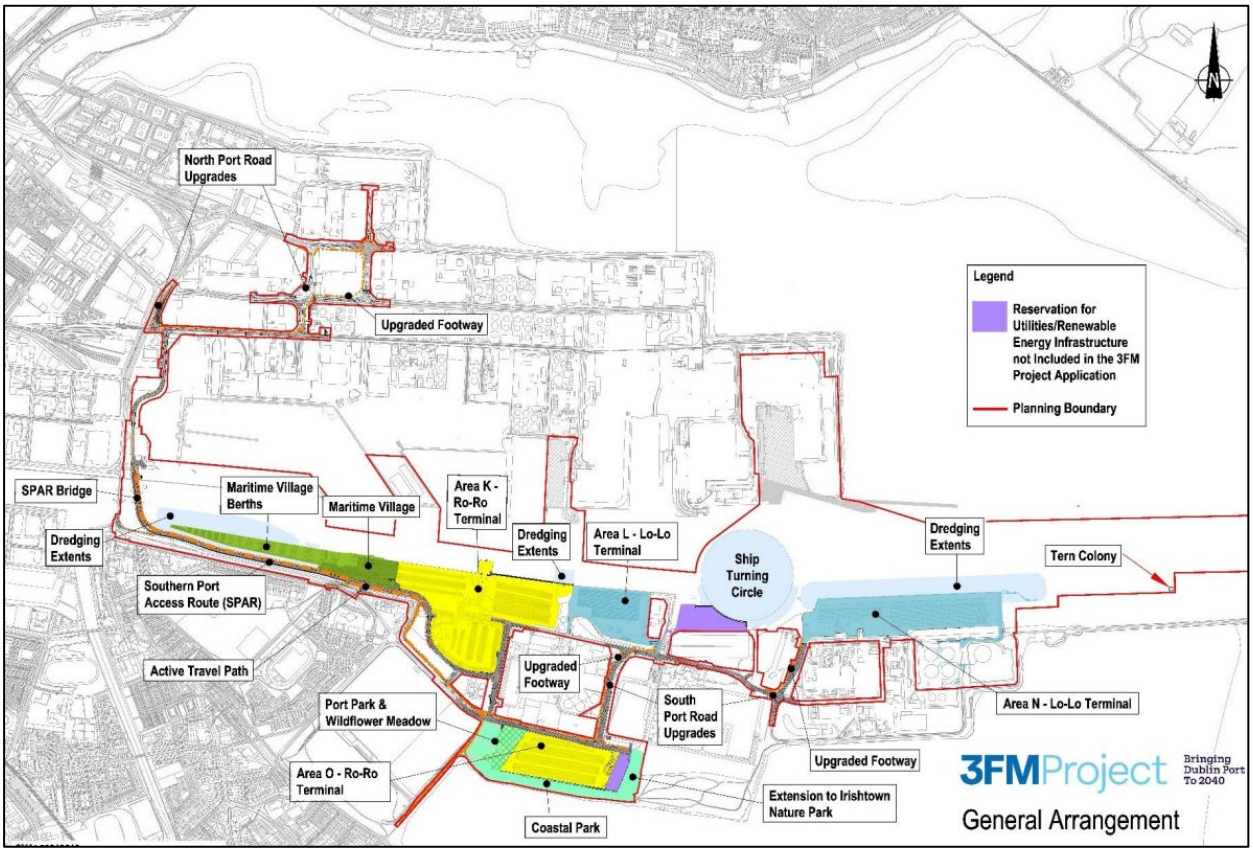

Figure 1-2: 3FM Project Preliminary General Arrangement Layout
Source: RPS

1.6 Documents Submitted as Part of this Application

In addition to the application fee of **€100,000**, the documents and drawings listed in **Table 1-1** are enclosed with this application to An Bord Pleanála (the Board).

Table 1-1: Application Documents as Submitted

Section	Document
Statutory Documents	• Cover Letter to An Bord Pleanála • Copy of Site Notice • Copies of Newspaper Notices • Completed An Bord Pleanála Application Form • Schedule of Prescribed Bodies and Notification • Schedule of Pre-application Consultations • Letters of Consent • EIA Portal Confirmation
Reports	• Planning Report • Control of Major Accident Hazards (COMAH) Land Use Planning Assessment • Summary of Mitigation Measures • Draft Construction Environmental Management Plan (CEMP) • Maritime Village Reports • Active Travel Reports • Port Park Reports • Dublin Port Heritage Conservation Strategy • Great South Wall Overview of Impacts, Mitigation & Interpretation • Control of Major Accident Hazards (COMAH) Land Use Planning Assessment • South Port Access Road Opening Bridge Preliminary Design Report • Draft Construction Environmental Management Plan (CEMP) • Southern Port Access Road Viaduct Preliminary Design Report • Summary of Mitigation Measures • Water Framework Directive (WFD) Compliance Assessment
Drawings	• Engineering, Architectural & Landscape Drawing Packs
Environmental Impact Assessment Report	• Environmental Impact Assessment Report – Volume 1 EIAR Non-Technical Summary – Volume 2 EIAR Main Document – Volume 3 EIAR Main Document
Appropriate Assessment Reports	• Screening for Appropriate Assessment Report & Appendices • Natura Impact Statement Main Document & Appendices
Spatial Data	• Application Site Boundary
Soft Copy	• Electronic copy of all documents and drawings

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.

Prior to making this application, the plans and particulars enclosed herewith have been screened with reference to the Planning and Development Regulations 2001, as amended (PDRs). 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 PDRs, albeit it is noted that the PDRs 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 PDA 2000. The approach to preparing drawings has been to comply as far as possible with PDRs and to ensure the clarity and accuracy of the information presented, in this regard some departures from scales were required and these affect a limited number of drawings. This approach was agreed with the Board prior to submission of the planning application documentation. 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 Nos. CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0007 and CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0008, prepared by RPS. 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 scales of these drawings are 1:5000 and 1:20000 given the extent of the application boundary.
- The position of the site notices erected are identified on the Overall Site Location Map (Drawing No. CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0007). The site notices (2no. A3 sized pages) are situated at 30no. separate locations in order to ensure public awareness of the nature and extent of the proposed development.
- The Overall Existing, Permitted and Proposed Site Layout Plans, prepared by RPS, illustrate the proposed development in context. Proposed site layout plans, at a scale of 1:500 for each part of the proposed development, are referenced in the Proposed Site Layout Plan – Key Map Drawing No. CP1901-3FM-RPS_26-SGN-XX-DR-HE-1200-0001, prepared by RPS.
- Having regard to article 19(4) of the Planning and Development Regulations, we note applications in respect of land consisting of the site or part of the site to which the present application relates have been made within the last six months. Accordingly, 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, documentation submitted with this application for permission identifies and illustrates those structures to be demolished within those drawings packs as indicated on the Proposed Site Layout Plan – Key Map Drawing (referenced above) in the interests of completeness.
- Surveys of protected structures are included in the documentation submitted with this application for permission (see Chapter 16 Volume 3 and Appendix 16, Volume 3 of the EIAR).
- The proposed development is located on lands owned by the applicant or on lands which it has the statutory power to acquire compulsorily. Letters of consent from Uisce Éireann, ESB and DCC to make the application on lands not within the control of the applicant are enclosed as part of the documentation submitted with this application for permission (see Appendix B of the Application Form).
- Certain elements of the proposed development are located within the foreshore. Since the establishment of the Marine Area Regulatory Authority (MARA) foreshore licences and letters of consent from the Foreshore Unit of the Department of Housing, Planning and Local Government are no longer required by law. Section 278A of the PDA 2000 has the effect of disapplying the 3FM Project from the requirement to obtain a statutory Marine Area Consent prior to submitting the present application.

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. This website is structured, as follows:

- Planning Particulars (to include forms and notices).
- Reports.
- Drawings.
- Environmental Impact Assessment Report.
- Natura Impact Statement.
- Spatial Data.

The content of each folder is reflected in **Table 1-1** above.

2 APPLICABLE PLANNING LEGISLATION

2.1 Strategic Infrastructure Development

The planning system in Ireland is governed by the provisions of the PDA 2000 and the associated PDRs. 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.

Section 37B(1) of the PDA 2000 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."*

In circumstances where the proposed port infrastructure included in the 3FM Project exceeds the minimum threshold in the 'Transport Infrastructure' class of development in the Seventh Schedule to the PDA 2000, pre-application consultations were entered into with the Board regarding the proposed development (Board Ref. ABP-310268-21). Following the conclusion of the pre-application consultations entered into between DPC and the Board, by notice dated 3rd May 2024, the Board confirmed that *"it is of the opinion that the proposed development falls within the scope of paragraphs 37A(2)(a) and (b) 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."*[12]

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 PDA 2000.

Section 278A of the PDA 2000 disapplies the requirement for a maritime area consent (MAC) for strategic infrastructure development where the prospective applicant entered into pre-application consultations with the Board before 1st October 2022. This provision seeks to ensure projects that entered the planning system under section 37B of the PDA prior to the commencement of Part XXI, which introduced the requirement for a MAC, can continue in that consent process notwithstanding the introduction of a new marine planning regime. This exemption is applicable only to strategic infrastructure development where the subsequent application for development consent has been made before 1st October 2024. This will ensure that where the application has not been completed within the required timeframes, the obligations under the new maritime planning regime will apply. As provided by section 75(4)(c) of Maritime Area Planning Act 2021, a MAC application shall be made before the 2nd anniversary of the date of the grant of the permission concerned.

The prospective applicant entered into pre-application consultations with the Board in May 2021, therefore the application is made pursuant to section 37B of the PDA 2000.

2.2 Requirement for Environmental Impact Assessment

With respect to environmental assessment, section 37E of the PDA 2000 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."*

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.

[12] https://www.pleanala.ie/en-ie/case/310268

2.3 Requirement for Appropriate Assessment

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.

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 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.

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 Habitats 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 any European site concerned.

The proposed development in this instance is located adjacent to the South Dublin Bay SAC, North Dublin Bay SAC, Rockabill to Dalkey Island SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, Howth Head Coast SPA, Howth Head SAC, Dalkey Islands SPA and North-West Irish Sea cSPA. 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 Report (AASR) and a Natura Impact Statement (NIS).

2.4 Consultations with Various Stakeholders

As part of the pre-application process for the 3FM Project, DPC and its design team met with statutory consultees and stakeholders. An extensive programme of public consultation was also undertaken to seek the views of the wider public on the 3FM Project.

The following is an outline of mandatory consultations together with consultations and engagement with prescribed bodies, key stakeholders, interested parties and the general public. Details are extracted from Chapter 3, Volume 2 of the EIAR. Detailed minutes of meetings are provided in Appendix 3, Volume 3 of the EIAR.

2.4.1 Pre-Application Consultations with An Bord Pleanála

As required under the PDA 2000, the prospective applicant entered into consultations with the Board in May 2021. Eight pre-application meetings between the prospective applicant and Board were held between 13th July 2021 and 25th March 2024.

It is noted that copies of the record of these meetings as issued by the Board are included in Appendix E of the Application Form. 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
13th July 2021	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 3FM Project to the Board including a description of the nature and scale of the project and DPC's assessment of how the 3FM Project constitutes strategic infrastructure in the context of the PDA 2000. DPC was of the view that the 3FM Project fell within the scope of the relevant class of development set out in the Seventh Schedule of the PDA 2000 on a number of specific grounds. Items discussed related to alternatives considered, traffic management, tern colonies and heritage aspects including the Great South Wall.
21st October 2021	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. DPC also provided an update on consultations with prescribed and interested bodies. DPC highlighted some revisions to the general arrangement since the first meeting and noted that this would be further refined having regard to ongoing environmental investigations and surveys. Items discussed included interface between Area N and O, the southern port access route and its function as a public or private road, removal of Area M from the project and the Maritime Area Planning Bill.
22nd February 2022	DPC provided an update on how the public consultation process had been arranged and details with respect to the level of engagement with interested parties. Some detail was given on feedback received and topics raised which included visual impact, bridge design, relocating the port, flood risk, impact on traffic, and support for enhanced community facilities. Items discussed included details to be provided as part of the application with respect to cargo handling and buildings, clarity that spaces being reserved for infrastructure by others and the Maritime Area Planning Act.
23rd June 2022	DPC provided an update on port trends generally and progress in relation to environmental baseline surveys and studies inputting into the project and how the findings were influencing the evolution of the design process. Items discussed included sufficient interest to make an application, Compulsory Purchase Order (CPO) powers and the Maritime Area Planning Act.
23rd November 2022	DPC provided a response to the meeting records of meetings held between the Board and DCC and Irish Rail/Iarnród Éireann. DPC also provided an update on the evolution of the design process. Items discussed included rail freight, function of the southern port access route, Climate Action Plan 2021, Area N and the Maritime Area Planning Act
26th April 2023	DPC provided an update on the evolution of the design process and construction methodologies for Area N and the southern port access route along the foreshore. DPC also provided details of the second public consultation. Items discussed included the Maritime Area Planning Act and the application process, resources within the Board, sequencing of a CPO application, duration of planning permission, cumulative impacts, southern port access route as a public road and rail connectivity.
19th December 2023	DPC provided an update on the evolution of the design process, consultations and the refined general arrangement. Items discussed included non-requirement for a Maritime Area Consent (MAC) to accompany the application, port park and wildflower meadow, dumping a sea permit and engagement with Irish Rail/Iarnród Éireann regarding management of rail freight in the greater port area.

Date of Meeting	Key Issues
25th March 2023	DPC provided an update on the evolution of the design process and the refined general arrangement. Noting that the function of Area O would now be aligned with the Ro-Ro terminal and used for unaccompanied single height Ro-Ro freight trailers and that it would also be reduced in size to accommodate proposals being brought forward separately by DCC for district heating. The general arrangement would now therefore include part of Area L which would support the Lo-Lo container terminal at Area N. It noted that Area O would act as a compound during the initial construction period along with other various utility operators. At this stage the Board considered that it had sufficient information to make a determination on whether or not the 3FM Project constituted SID.

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

The prospective applicant had consultation meetings with various sections of DCC.

Between 15th April 2021 and 21st March 2024 seven meetings took place with the City and Deputy City Planners in the Planning and Property Development Section. Summaries of the items discussed at these meetings are included in Table 3.1 Chapter 3, Volume 2 of the EIAR.

In addition to continued consultation with the Planning and Property Development Section, DPC undertook a number of technical consultations with various DCC Sections during the evolution of the 3FM Project outline design to ensure the development was fully aligned to the policies of the Dublin City Development Plan 2022 – 2028. This included consultation with the following sections:

- Noise and Air Quality Section
- Water Quality and Waste Section
- Marine Archaeology Section
- Archaeology, Conservation & Heritage Section
- Traffic & Transportation Section
- Parks and Biodiversity Section.

Details of these meetings are provided in Chapter 3, Volume 2 of the EIAR.

The project's design team has had regard to the various topics as raised by the technical officers during these consultations and these are reflected in the design, EIA and AA process.

2.4.3 Consultations with Prescribed Authorities and Key Stakeholders

Virtual meetings took place with prescribed bodies and key stakeholders at a time when public health restrictions concerning COVID-19 were in place. Additional consultations, workshops and site visits took place during the period September 2021 to December 2023.

The issues raised during these consultations which have fed into the scoping of the EIAR and NIS and evolution of the 3FM Project are set out in Table 3.3, Chapter 3, Volume 2 of the EIAR.

2.4.4 Public Consultations

An extensive programme of public consultation was undertaken between November 2021 and May 2023 to seek the views of the wider public on the 3FM Project and the proposed community gain initiative to be advanced as part of the project. The initial consultation process between November and December 2021, which also took place at a time when public health restrictions concerning COVID-19 were still in place, was based primarily around an online portal. This portal set out the evolving details of the development through a virtual consultation room which was advertised through print, social, digital and billboard media.

The second public consultation process for the 3FM Project took place between March 2023 and May 2023, but unlike the first consultation process, this exercise was not constrained by public health restrictions and a number of in-person events were held. The virtual consultation room was retained and its content was updated to take account of modifications to the project arising from the initial feedback, subsequent stakeholder engagement and changes arising from additional survey or technical assessment work. This consultation was advertised through street teams, social media and posters. A series of public information days also took place at Poolbeg, Ringsend and Clontarf to allow face-to-face interaction between interested parties/members of the public and DPC and specialist consultants directly involved in the 3FM Project.

Following completion of the Public Consultation Process, DPC published Report on Consultation Process 2021 to 2023 which was circulated to all those who engaged during the consultation process. This is provided in Appendix 3, Volume 3 of the EIAR.

2.4.5 Public Consultations Maritime Village

Additional consultation took place during 2021 and 2023 with clubs, groups and organisations associated with leisure and training facilities on the peninsula with respect to the provision of a Maritime Village which would replace existing facilities at Poolbeg Yacht & Boat Club, Marina and Stella Maris Rowing Club. This process was effective in delivering a Maritime Village footprint acceptable to all parties. The range and extent of engagement undertaken with local clubs, groups and organisations is provided in Chapter 3, Volume 2 of the EIAR.

2.4.6 EIA Scoping

A consultation letter and information on the 3FM Project was issued to 46 statutory and non-statutory bodies to coincide with the launch of the second public consultation phase of the project. 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. These are listed in Table 3-6, Chapter 3, Volume 2 of the EIAR. Responses received from the consultees are summarised in Table 3-7, Chapter 3, Volume 2 of the EIAR.

2.4.7 Ongoing Consultation

Further to the significant level of consultation undertaken in relation to the 3FM Project to date, a 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 opportunities available to them to participate in the development assessment process. An outline of the proposed format of this public information exercise is provided in Chapter 3, Volume 2 of the EIAR.

2.4.8 Conclusions

The various pre-application submissions and comments made in relation to the 3FM 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 3FM Project beyond those measures incorporated into the proposed design.

3 PROJECT EVOLUTION

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, and reviewed in 2018, 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[13] 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 a proposal to extend the port through the infill of 21ha at the eastern end of the North Port Estate, as illustrated on **Figure 3-1**. This proposal had already been refused by the Board[14] in 2010.

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 would 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 was achieved, this would 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.

In 2021 the United Kingdom left the EU, resulting in the reallocation of lands in the North Port Estate to State authorities for customs checks as a consequence of Brexit. The impact of the loss of these lands for port purposes has led to an estimated reduction in 2040 capacity by 3.4m tonnes per annum to produce a revised 2040 throughput of 73.8m tonnes per annum[15], 90% of which is accounted for by the 3.0 million trailers and containers in the unitised modes of Ro-Ro and Lo-Lo.

As the population and economy expand (as envisaged by the National Planning Framework), so Ro-Ro and Lo-Lo volumes will grow. No other port in the Eastern & Midland Region handles Ro-Ro and Lo-Lo traffic. Over the period to 2040, therefore, Dublin Port's importance will continue to grow and it is essential that the port expands capacity continually to cater for the country's needs.

This places further emphasis on DPC fulfilling its objective to optimise lands that are available for port use. It is essential, therefore, that DPC continues to secure consents and develop essential infrastructure to facilitate freight traffic.

Policy to provide for improved port access to and from the national road network ensure that this can happen in tandem and in time.

Advances in policy are set out in **Table 3-1** below.

Table 3-1: Advances in Policy since 2012

[13] Five year rolling average

[14] DPC sought permission under Board Ref. 29N.PA0007, a SID, for the Gateway Project, which consisted of an extension of 21ha 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.

[15] This equates to the Masterplan 2040 target of 77.2m tonnes, but reduced by 3.4m tonnes to allow for the assumed permanent loss of 7ha of freight yards to State Brexit facilities. There are currently 14ha of land in use for such facilities, and it has been assumed that 50% of these lands will ultimately be returned for use as transit freight storage yards.

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[16].
July 2015	10-year permission for the SID ABR Project granted by the Board (Ref. 29N.PA0034).
April 2016	Publication by National Transport Authority (NTA) 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 acquires 44ha 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 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 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 River Liffey, approximately half of which are owned by DPC.
June 2019	Publication of the Regional Spatial Economic Strategy for the East and Midland Region 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 (a Global Gateway).
July 2020	15-year permission for the SID MP2 Project granted by the Board (Ref. ABP-304888-21).
October 2021	Outlining Strategic Investment Priorities, the National Development Plan 2021-2030 explicitly refers to Dublin Port Masterplan 2040 and the 3FM Project. This recognises the imperative of delivering improved access for the southern port lands to the national road network in the context of port operations within a short timeframe as a matter of national policy.
December 2022	Publication of the Dublin City Development Plan 2022-2028 supporting the development of Dublin Port, the Dublin Port Masterplan 2040 and the delivery of the Southern Port Access Route.
January 2023	Publication by NTA of the Greater Dublin Area Transport Strategy 2022-2042, identifying that the Eastern By-pass is no longer required to be developed. The strategy acknowledges the requirement of the NTA, Transport Infrastructure Ireland (TII) and other agencies to facilitate the efficient and sustainable operations of Dublin Port and seeks to address the difficulty in accessing the south port estate from the national road network, in particular the connection to the Dublin Tunnel, by means of the delivery of the Southern Port Access Route, a new public road extending from the national road network at the M50 Dublin Tunnel to serve the south port lands and adjoining areas.
June 2023	Irish Ports Capacity Study completed concluding that the demand versus capacity analysis for each of the ports confirms that Irish ports generally have sufficient capacity to accommodate current and forecasted demand until 2040, noting that Lo-Lo capacity at Dublin Port is expected to run out around 2038 in the high growth scenario. This analysis assumes Dublin Port Masterplan 2040 is implemented.
October 2023	The first phase of public consultation for the Review of the National Ports Policy. A Draft National Ports Policy is programmed to be issued for consultation in Q4 2024. The Issues Paper on the Review of Ports Policy is supportive of DPC and specifically recognises the need for all planned port projects to ensure that capacity is met, stating that failure to proceed with investment in capacity, infrastructure, equipment and hinterland connectivity poses serious risks to the future success of Ireland's ports and the national economy.

[16] https://www.dublinport.ie/wp-content/uploads/2019/06/Dublin-Port-Franchise-Policy-Doc.pdf

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

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.

As highlighted, the fundamental approach of the Masterplan to providing capacity in Dublin Port is to maximise the utilisation of brownfield lands rather than the need to resort to a significant 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. As already stated, since the Masterplan was revised some lands have been allocated to state services as a result of the United Kingdom leaving the EU. This reallocation has ramifications on the level of capacity envisaged in 2040.

The key Masterplan developments comprise three large strategic infrastructure development (SID) projects:

- **Alexandra Basin Redevelopment (ABR) Project:** This is fully consented[17] and is under construction in Area S, Area A, Area J_1, Area R and Area C (**Figure 3-2**). Also, as part of the ABR Project, Dublin Port's channel is being deepened from -7.8m CD to a standard depth of -10.0m CD over a 10km stretch; 5km from the Tom Clarke Bridge to the Poolbeg Lighthouse and a further 5km to the -10.0m CD contour in Dublin Bay.
- **MP2 Project:** This application for works in Area C and Area D (as illustrated on **Figure 3-2**) was approved by the Board in 2020[18] and construction commenced in 2023.
- **3FM Project:** A final strategic project, the proposed 3FM Project, includes development of Areas K, L, N, O and north of M as illustrated on **Figure 3-2** and will also include the development of the Southern Port Access Route (SPAR) to provide connectivity between the Dublin Tunnel and the south port lands as envisaged in Greater Dublin Area Transport Strategy 2022 to 2042 published by the NTA and the adopted Dublin City Development Plan 2022-2028 and southern lands public realm.

Figure 3-1 and **Figure 3-2** below illustrate the layout Dublin Port Masterplan 2012-2040 and Dublin Port Masterplan 2040, Reviewed 2018 as published.

[17] Board Ref. PL29N.PA0034

[18] Board Ref. ABP-304888-19

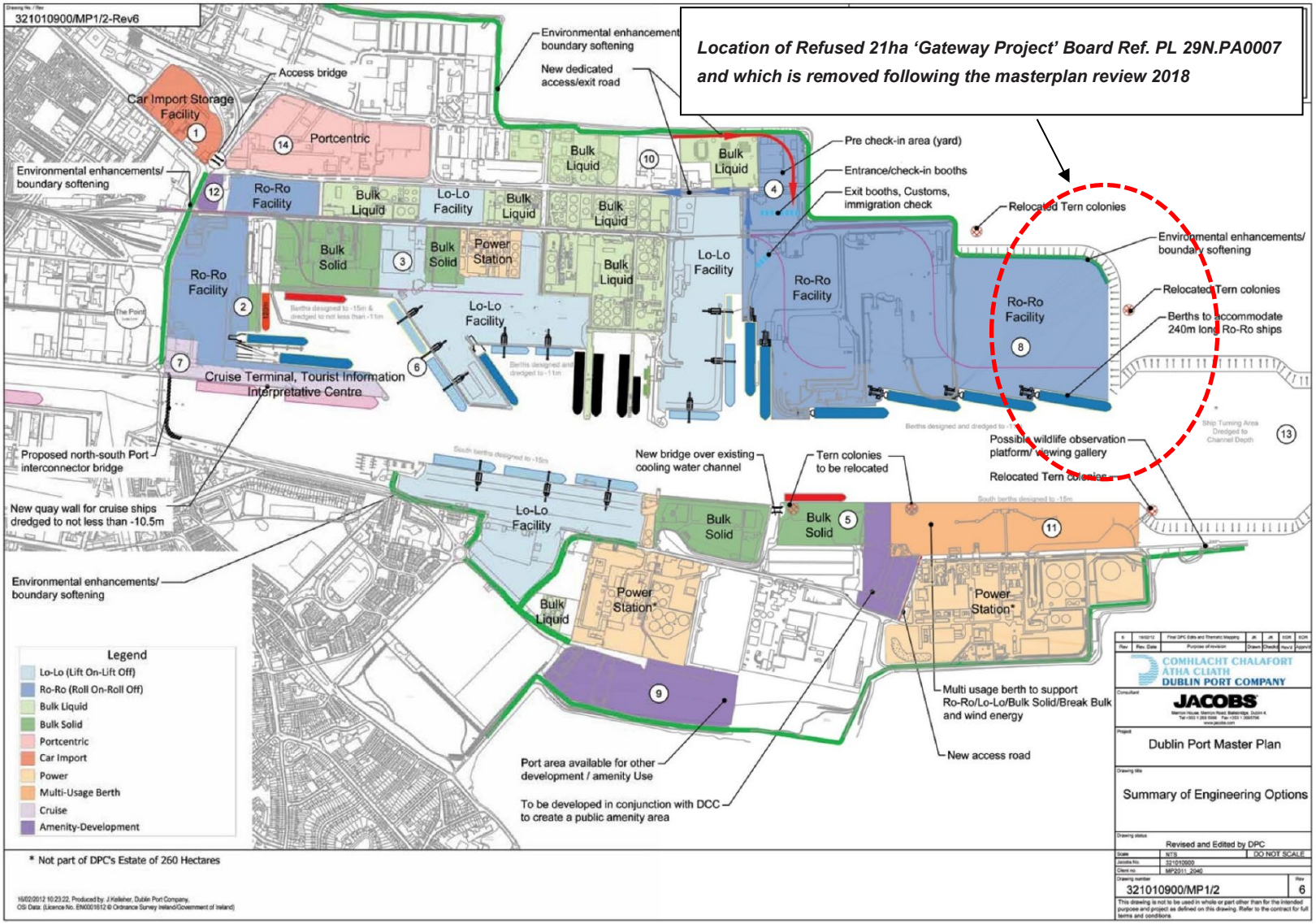

Figure 3-1: Dublin Port Masterplan 2012-2040 Summary of Engineering Options

Source: Dublin Port Masterplan 2012-2040

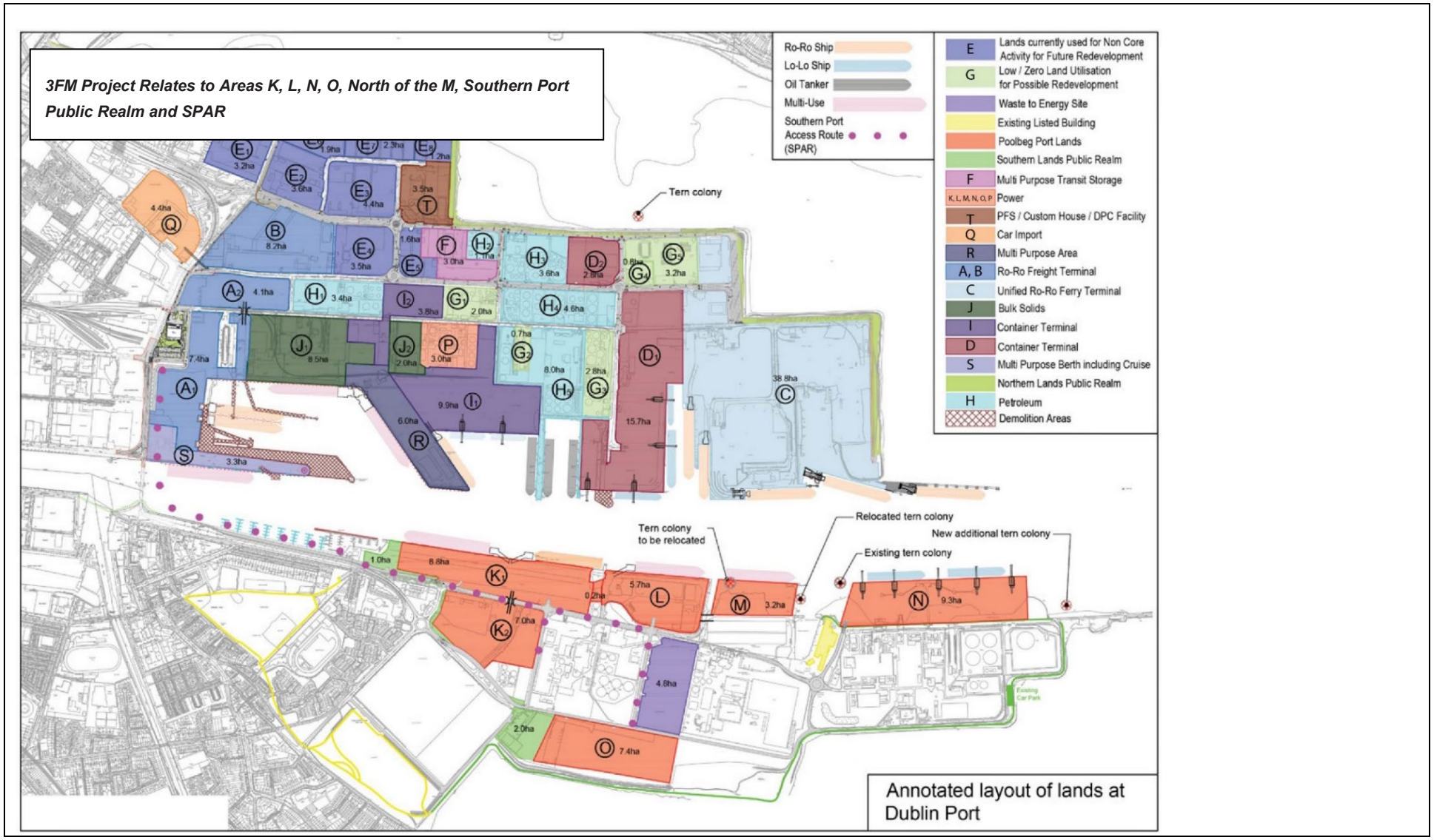

Figure 3-2: Dublin Port Masterplan 2012-2040 Reviewed 2018 (Block 8 removed)

Source: Based on Dublin Port Masterplan 2040, Reviewed 2018

4 THE APPLICATION SITE

4.1 Subject Site and Existing Operations

Dublin Port comprises some 265ha with lands located to the north and south side of the river and 44ha at Dublin Inland Port in north County Dublin. The majority of the port, 207ha, are located on the north side of the river. Port lands located on the south side of the river comprise 58ha and are connected to the north port lands via the R131. The North Port Estate is connected to the national road and freight rail network. Dublin Port's navigation channel and fairway are currently maintained at a standard depth of -7.8m CD. The main navigation channel and fairway are being deepened to a standard depth of -10.0m CD[19] 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. The location of Dublin Port in the context of Dublin City is illustrated in **Figure 4-1**.

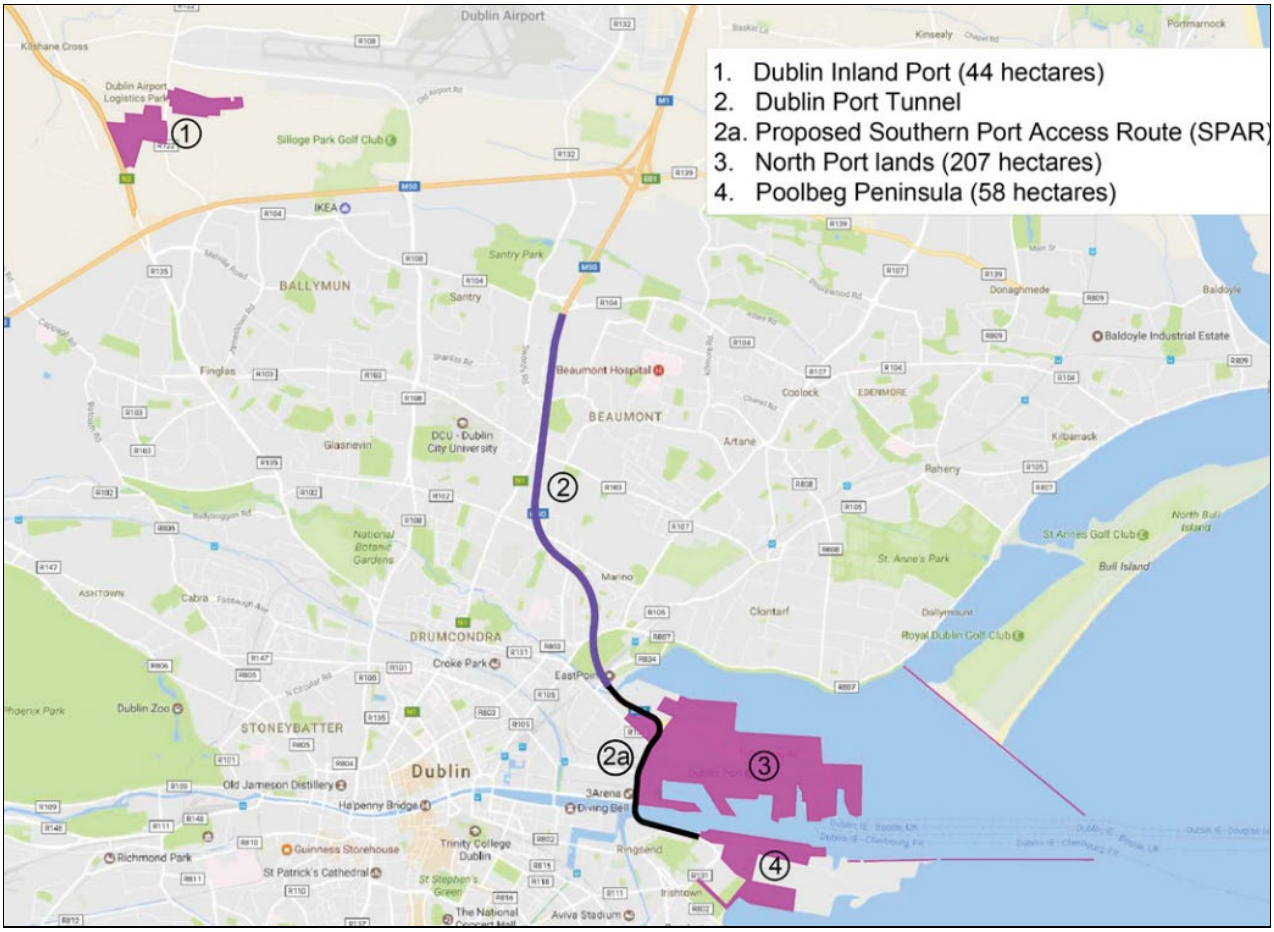

Figure 4-1: Dublin Port Estate
Source: Dublin Port Masterplan 2040, Reviewed 2018

The 3FM Project is generally located on the Poolbeg Peninsula but also includes lands north of the river to facilitate bridge and road development together with road and junction enhancements to the existing internal North Port Estate road network thereby facilitating access from the South Port Estate to the national road network and a future intermodal freight rail facility. The application site also extends into Dublin Bay to include the licenced offshore dump site used for the disposal of uncontaminated dredge spoil arising from the 3FM Project.

[19] Permitted ABR Project Ref. PL29N.PA0034 & MP2 Project ABP-304888-19

Over time the Poolbeg Peninsula has evolved as a utility hub, serving the city and the Dublin Metropolitan Region, hosting NORA, ESB Poolbeg Generating Station, Synergen (Dublin Bay Power) Ringsend Generating Station, Uisce Éireann's Ringsend Wastewater Treatment Plant (WwTP) and Dublin Waste to Energy Facility. DCC is also a significant landowner and is responsible for the majority of the road network, Pigeon House Harbour precinct and Irishtown Nature Park.

The Poolbeg Yacht & Boat Club, Marina and Stella Maris Rowing Club comprise a key sporting and amenity centre which is in daily use by members of the clubs, visitors and the local community. There are approximately 72 local groups which make use of the facilities, demonstrating their importance as a focal point to many users of the Liffey. Poolbeg Yacht & Boat Club and Marina have provided berthing and clubhouse facilities for over fifty years. It currently provides a 100-berth marina and also organises racing on the River Liffey. Stella Maris is a traditional skiff rowing club, which was established in 1937.

Other operators on DPC lands within the application site include:

Area K: MTL operating the Lo-Lo Container Freight Terminal along Berths 41 to 45.

Area L: The quayside area, comprising Berths 46 and 47, is shared between three operators:

- Irish Cement (cement and petroleum coke),
- Hammond Lane (scrap metal); and
- EcoCem (eco-cement production).

Area O: DPC owns lands located on the southern side of the Poolbeg Peninsula generally south and east of South Bank Road which is currently being used for a range of activities including:

- Kilsaran Concrete Limited which comprises a concrete batching plant and associated facilities,
- Bissett Engineering which is currently not operational, and
- Site compounds to facilitate engineering contractor's offices for works at Uisce Éireann's Ringsend WwTP in temporary site cabin facilities, with car parking, fencing and materials storage. Previously this was used as a construction compound for works at the Dublin Waste to Energy Facility. Parts of this site are permitted for use as temporary site compounds for other utility operators for separate development projects.

Existing utilities, operators and occupiers located within the application boundary are described in Chapter 5, Volume 2 of the EIAR.

The main elements of the 3FM Project, located within the Poolbeg Peninsula, are bounded to the north by the River Liffey. The high value amenity areas of Sandymount Strand and Irishtown Nature Park lie to the south and east of the site. On lands formerly owned by the Irish Glass Bottle Company Limited, a large-scale, predominantly residential development, located to the west and is evolving in stages the layout of which is permitted within the Poolbeg West Planning Scheme (**Section 6.4.3** refers). The Poolbeg West Planning Scheme envisages the development ultimately housing a population of approximately 8,000 people with associated community facilities and transport links. Further to the west and south are Irishtown, Ringsend, Sandymount and Merrion residential areas.

The application site extends to c.1,000ha and is defined by the red line as illustrated on the Site Location Plan Drawing Nos. CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0006 to 0007 prepared by RPS. 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.

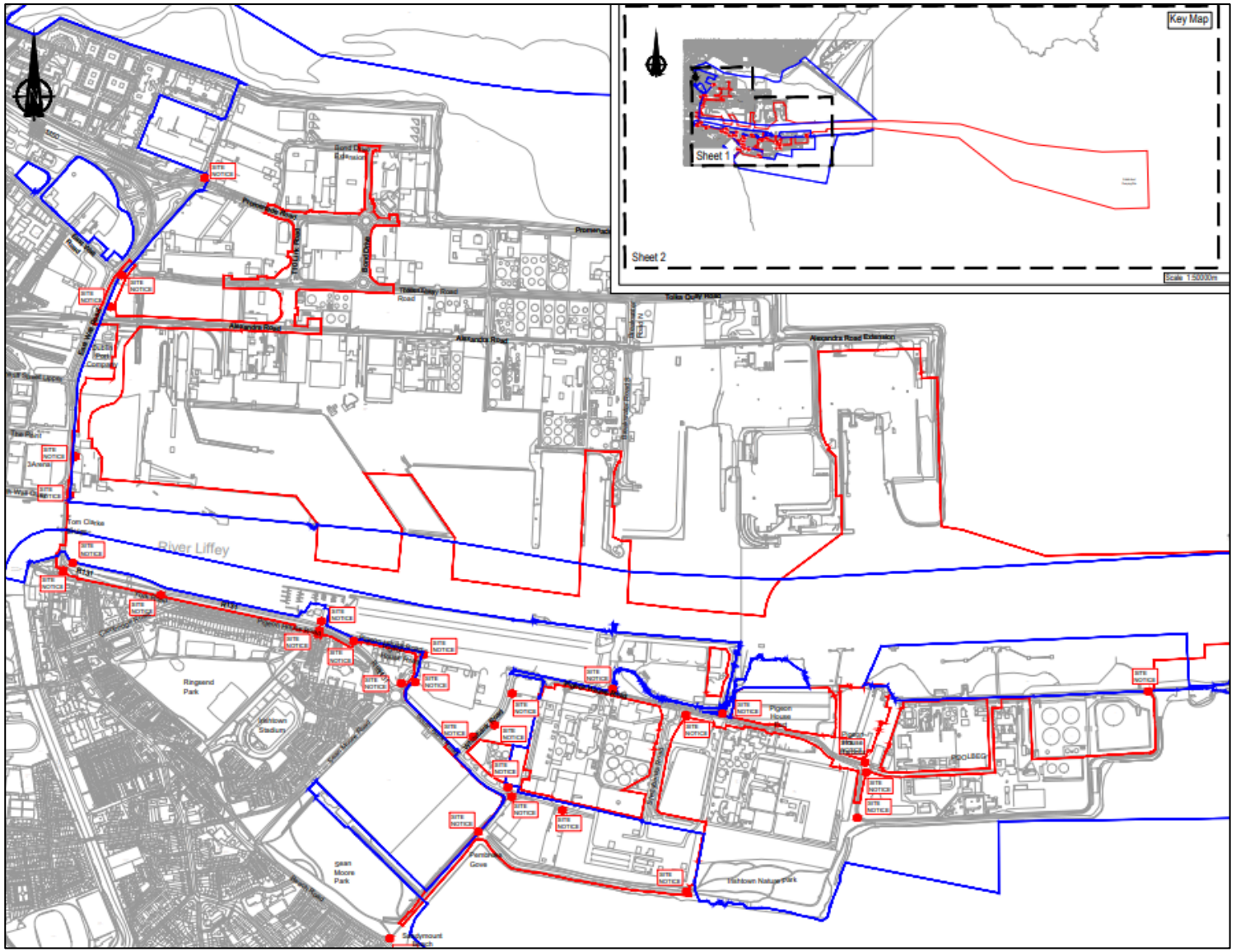

Figure 4-2: Existing Port Layout

Source: Site Location Map Drawing No. CP1901_3FM-RPS_S26-PGN-XX-DR-HE-100-0006 to 0007 prepared by RPS

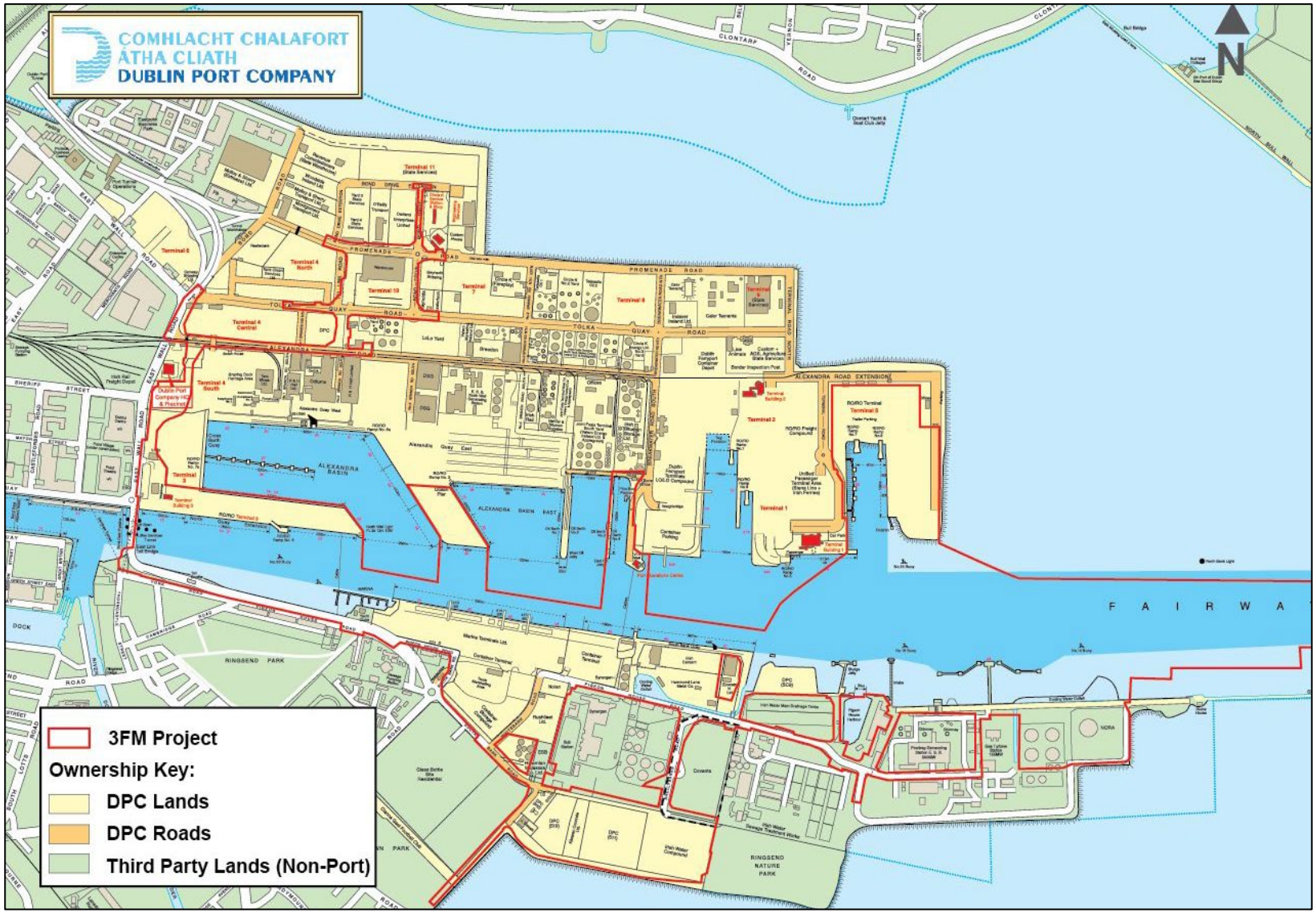

Figure 4-3: Existing Uses
Source: Based on OSi, RPS and Chapter 5, Volume 2 of the EIAR

4.2 Environmental Designations

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 AASR and NIS submitted with this application for permission.

4.3 Cultural Heritage

Existing tangible cultural heritage assets reflect the development of the port area and in the present context are principally related to buildings and structures in the south port area. A small selection of relevant features is also located on the north side of the channel. The Great South Wall (protected structure), which runs through the spine of the peninsula, directly interfaces with many of the existing operations and in many cases has been breached overtime. This together with other protected structures which include North Wall Quay Extension, Pigeon House precinct (fort, hotel and former power station), fever hospital and former coastguard buildings are among the key heritage assets within the Poolbeg Peninsula and the application site. The general locations are illustrated on **Figure 4-4**.

Figure 4-4: Key Heritage Assets
Source: Based on Figure 5.3 Chapter 5, Volume 2 of the EIAR

Protected structures, recorded sites and features of cultural, archaeological, industrial and architectural heritage interest within the application site and the general vicinity are identified in the desktop review undertaken as part of environmental impact assessment of the project and are described in Table 16-3 and indicated in Figures 16-1 and 16-2, Chapter 16, Volume 2 of the EIAR.

4.4 Planning History Relevant to the Proposed Development

A planning history search was undertaken on 1st July 2024 for the lands within the application boundary and those within a 200m buffer. This is provided in **Appendix B** to this report. It includes the planning applications that have been granted planning permission within the last 10 years. The information was gathered using online planning history search tools and whilst it does provide a good indication of the recent planning history within the application boundary it cannot be guaranteed that every application has been captured as part of this process. The planning search was filtered to exclude all planning applications which were refused,

invalidated, withdrawn, or considered using professional judgement to be not relevant to the proposed development. The planning permissions listed have either not commenced, have commenced or are completed.

4.4.1 Subject Site

Those planning applications of particular relevance to the implementation of the Dublin Port Masterplan and the 3FM Project are summarised in the paragraphs that follow. These have been divided between those located on the north and south side of the River Liffey.

4.4.1.1 River Liffey North

Dublin Gateway Project – Board Ref. PL 29N.PA0007

DPC sought permission under Board Ref. 29N.PA0007, a SID, for the Gateway Project, which consisted of an extension of 21ha 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."*

The location of the Gateway Project is illustrated in **Figure 3-1** and no longer forms part of the Dublin Port Masterplan.

ABR Project – Board Ref. PL 29N.PA0034

A 10-year planning permission was granted 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 PDA 2000, a SID. The permitted development may be broken into three parts: works to Alexandra Basin, works to Berth 52 and 53, and works to the Liffey Channel. This approval is now being implemented by the DPC. The site layout plans are illustrated in **Figure 4-5**.

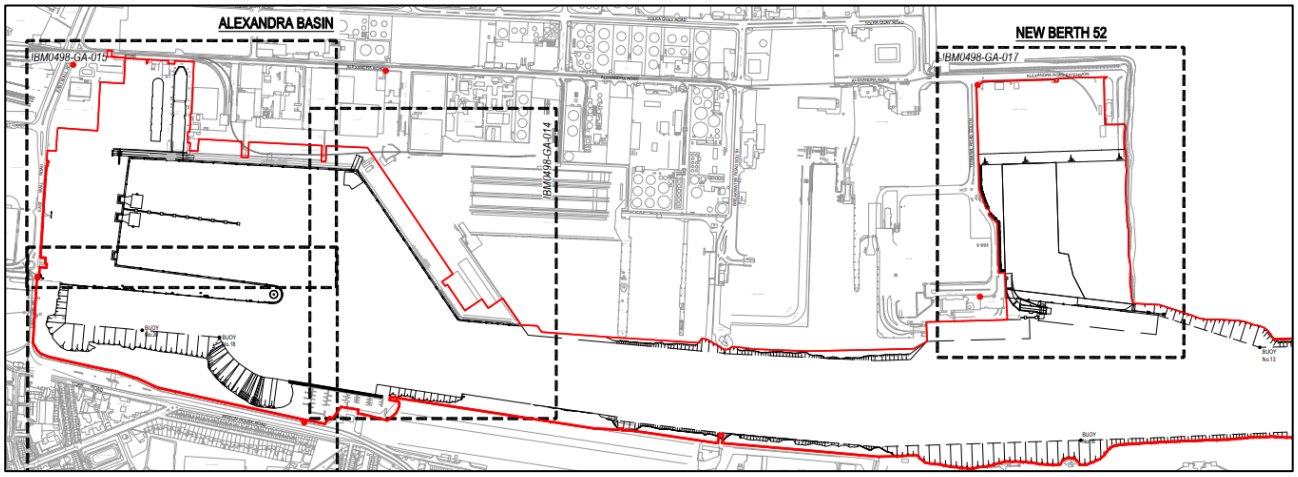

Figure 4-5: ABR Project – Board Ref. PL29N.PA0034
Source: Based on Board Ref. PL29N.PA0034 Drawing IBM0498-GA-017

The proposed development will tie into this permission, specifically where the proposed SPAR will interact with the permitted works under the ABR Project. The 3FM Project also may use existing berth 52/53 as a location for disposal of material.

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

A 10-year planning permission was granted 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 for the construction of new roads and enhancements to existing roads within the Dublin Port estate north of River Liffey and *inter alia*;

- Construction of enhanced landscaping and amenity route along the northern boundary (now referred to as the Tolka Estuary Greenway); and
- Construction of new pedestrian and cycle overbridge and underpass at Promenade Road.

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 location plan is illustrated in **Figure 4-6**.

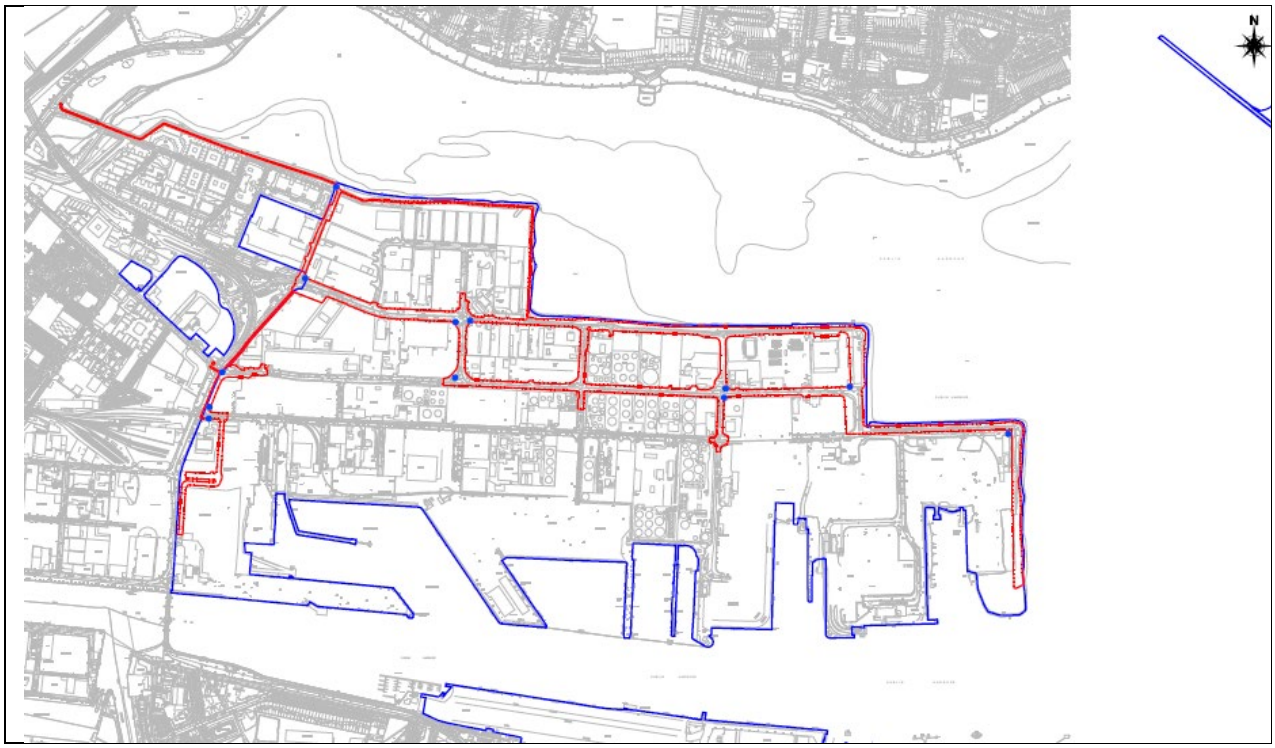

Figure 4-6: Permitted Dublin Port Internal Road Network
Source: Based on DCC Reg. Ref. 3084/16

It is proposed that the SPAR will connect to the road network at a point located next to the Dublin Port Centre building at Alexandra Road. The proposed development will interact with the internal road network in the North Port Estate and will require some upgrades to junctions.

MP2 Project – Board Ref. PL 29N.308444

A 15-year planning permission was granted on 1st July 2020 for works at Oil Berth 3 and Oil Berth 4, Eastern Oil Jetty and at Berths 50A, 50N, 50S, 51, 51A, 49, 52, 53 and associated terminal yards to provide for various elements including *inter alia*:

- 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 futureproofing of Oil Berth 3 as a future deep water container berth for the Container Freight Terminal. The futureproofing 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.

This SID is now being implemented by the DPC. The site layout plan is illustrated in **Figure 4-7**.

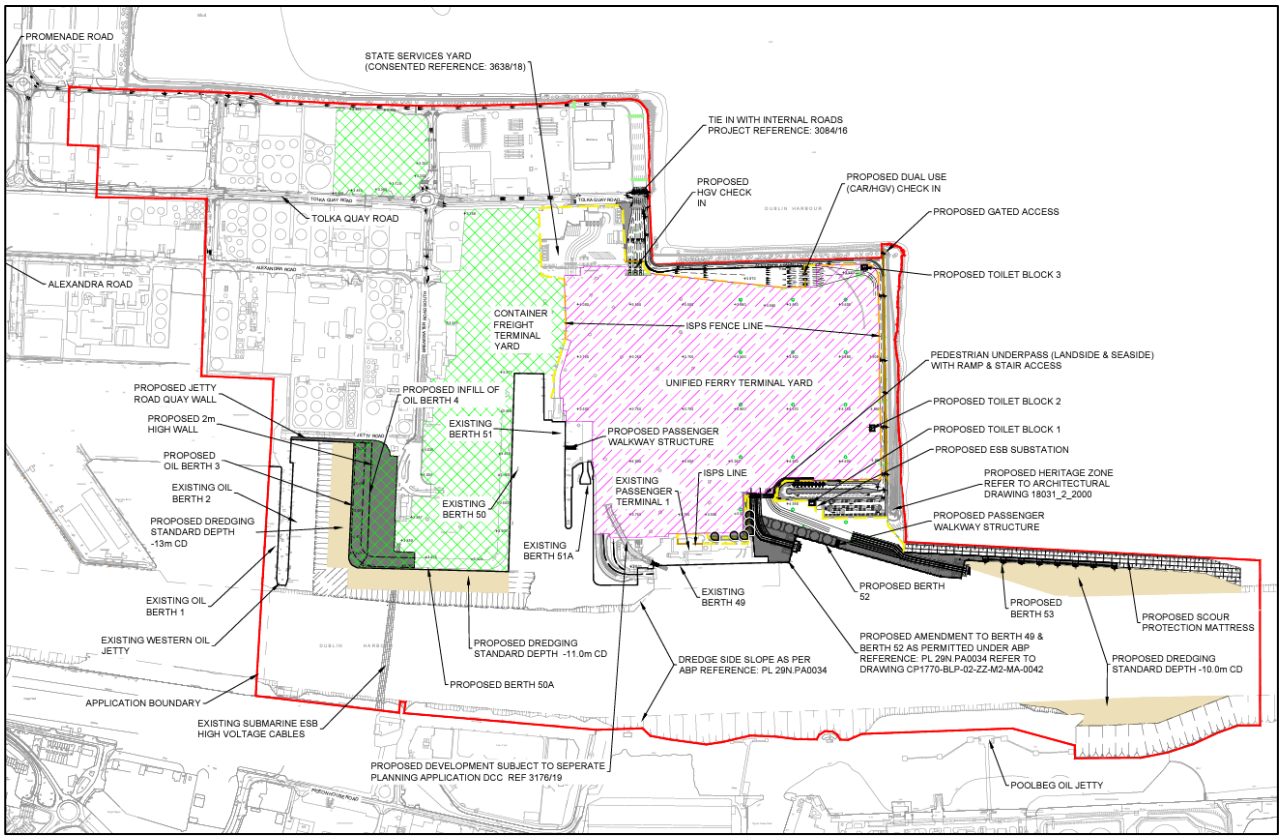

Figure 4-7: Permitted MP2 Project

Source: Based on Board Ref. PL29N.380444 Drawing CP1770-BLP-ZZ-ZZ-M2-MA-0005

The works proposed by the 3FM Project largely do not overlap with the permitted development under the MP2 Project, save for some permitted dredging north of Area N, which will see under the proposed works, a Lo-Lo container terminal with a berth pocket dredged to a standard depth of -13.0m CD. The 3FM Project also may use existing Berth 52/53 as a location for disposal of material.

Liffey-Tolka Public Realm – Board Ref. ABP-312692-22

Planning permission was granted on appeal by the Board on 19th July 2023 for a new 1.4km pedestrian walkway and a 2-way cycle lane along East Wall Road and Bond Road from the River Liffey to the Tolka Estuary which includes *inter alia* construction of a new boundary along sections of the Dublin Port western boundary along East Wall Road and Bond Road. The development consists of:

- Creation of a civic space adjacent to the River Liffey at North Wall Quay Extension (protected structure);
- Provision of a Dublin Port Irish language installation as part of the boundary treatment adjacent the Crane 292 enclosure.
- Hard and soft landscaping including trees along the extent of the route, amenity, interpretation and wayfinding features including bins and seating;
- Pedestrian and cycle facilities to enable road crossing on the east side of East Wall Road to connect with permitted road crossings on East Wall Road by DCC.

This development is about to be implemented by the DPC. The site layout plan is illustrated in **Figure 4-8**.

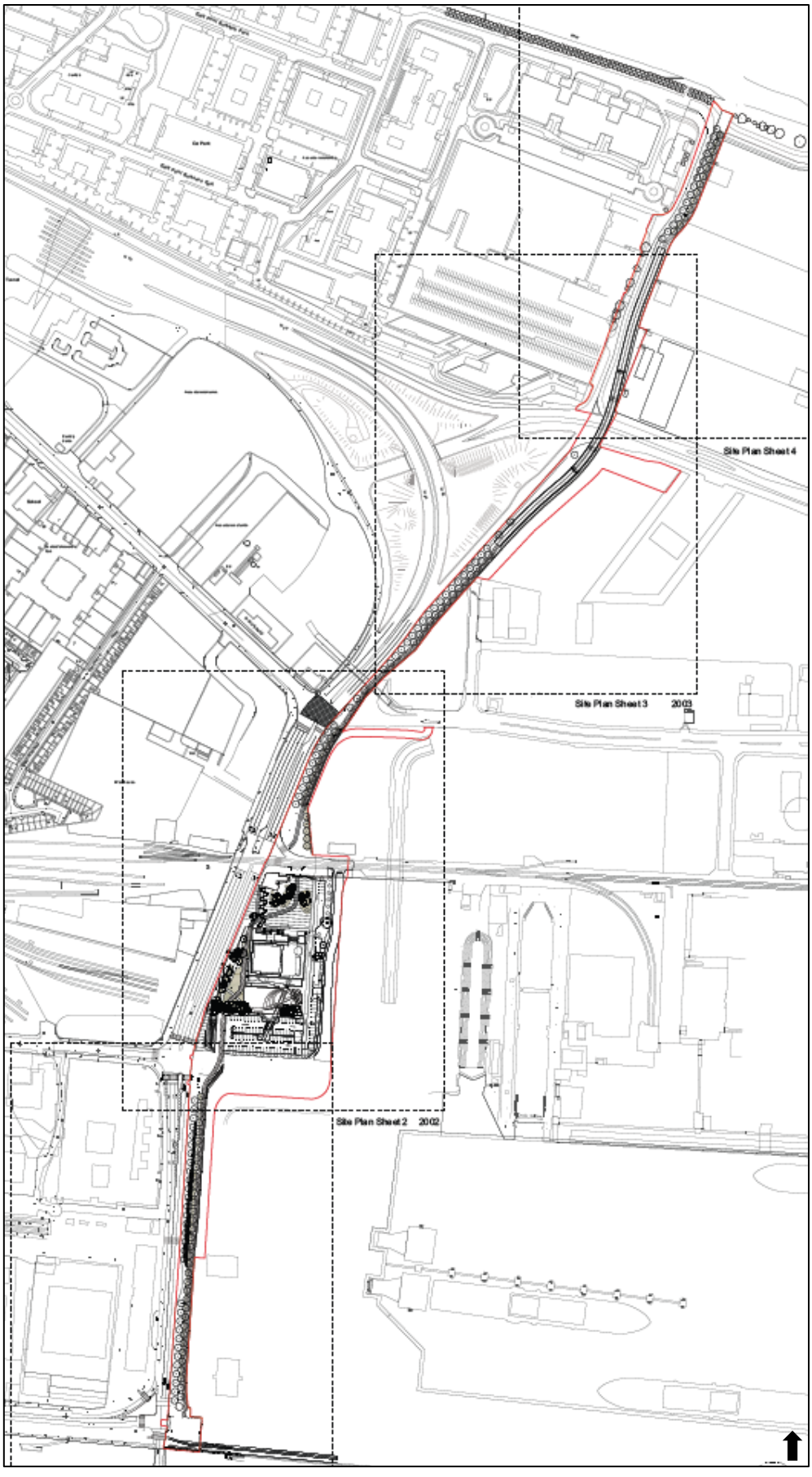

Figure 4-8: Permitted Liffey Tolka Public Realm Project
Source: Based on Board Ref. ABP-312692-22 Drawing LTP-GRA-XX-00-DR-A-1001-S1

The works proposed as part of the 3FM Project include some minor modifications to this permitted development which include the provision of dedicated slip road from East Wall Road onto Alexandra Road and works to the permitted 'North Wall Square' to facilitate bridge works.

Alexandra Road - Reg. Ref. 3773/20

On 8th March 2021, DCC granted permission for a planning application lodged by Circle K Ireland Energy Ltd at Terminal 1, Alexandra Road, which consists of consolidating operations by site clearance, relocation of equipment and installation of new internal entrance gate. On 28th September 2023, DCC granted permission and retention permission for an application lodged by DPC at a site between Promenade Road to Alexandra Road in Dublin Port, consisting of:

- Retention of 125m of roadway, a T-junction with Promenade Road, a zebra crossing, a vehicular entrance to Terminal 10 State Services Yard, revised fence line and associated ancillary works; and
- Construction of a roadway c. 250m long with footpaths and a two-way segregated cycleway, provision of a roundabout connecting the proposed link road with Tolka Quay Road, closure of access to No. 2 Branch Road South from Alexandra Road and closure and removal of No. 1 Branch Road North, and all ancillary works.

The works proposed by the 3FM project include some minor alterations to the permitted link roads.

4.4.1.2 Liffey River South

Kilsaran Concrete - Reg. Ref. PWSDZ3890/24

On 21st June 2024 DCC received a planning application for development at South Bank Road Irishtown, Dublin4, D04 H998. The development consists of the continuation of use of an existing concrete batching plant and associated facilities (previously granted under Reg Ref Nos. PWSDZ3469/22; 2482/19; 2209/13 and ABP Ref No PL 29S.241965; 1420/04 & ABP Ref No. PL29S.207144 for a temporary period of 3 years. A decision has not yet been made.

This site will be included as part of the proposed works at Area O under the proposed 3FM Project, generally located to the south of South Bank Road.

Ringsend WwTP ABP Ref. 301798

On 24th April 2019, the Board granted permission for a 10-year period to carry out revisions to a previously consented development (Board Ref. YA0010), which has been amended previously on three occasions since the initial grant in 2012 (Board Refs. YM0002, YM0004 and YA0010). The revisions proposed by this application consisted of non-material alterations concerning three alternative construction compounds selected in lieu of previously consented compounds which were rendered unavailable.

This application is relevant as one of the alternative sites selected was contained within Area O.

Flexgen – Reg. Ref. 3624/20

On 7th May 2021, DCC granted permission for a proposed development 'Flexgen' consisting of the construction of a 75MW gas-fired turbine of c. 240sq.m, 15.6m high and featuring a stack c. 30m high and ancillary buildings.

Boundaries of the application area overlap with the 3FM Project however no amendments are proposed.

Ecocem – Reg. Ref. 3041/24

On 4th March 2024, DCC issued a Request for Further Information for an application submitted by Ecocem Ireland Limited at a site at Pigeon House Road consisting of the demolition, retention and the construction of plant.

The 3FM Project includes road works directly adjacent to the operator, as well as a new road link along the southern portion of the site, adjacent to the existing lagoon outfall canal. Some of this site will be included as part of the proposed works at Area L under the proposed 3FM Project.

4.4.2 Adjoining Areas

The planning history review also included planning permissions within a 200m buffer of the application boundary. Those considered relevant are included and listed in **Appendix B** to this report and are mainly located on the south of the River Liffey. Those of particular relevance are listed in the paragraphs that follow.

4.4.2.1 Former Glass Bottle Factory Site

Reg. Ref. PWSDZ3270/19: On 28th January 2020, DCC granted permission for an SDZ application for works to facilitate the wider development of the Former Glass Bottle Factory site, in summary consisting of street, open space, infrastructure arrangement and layout. This consent was later amended by PWSDZ4121/21 in June 2022.

Reg. Ref. PWSDZ3207/21: On 24th March 2022, DCC granted permission for an SDZ application for development consisting of the construction of 600no. apartment units across 3no. separate blocks ranging in height between 3 and 16nos. storeys in height over basement undercroft, provision of residential amenity facilities, childcare facility, retail units, café/restaurant and ancillary parking and works.

Reg. Ref. PWSDZ3406/22: On 8th February 2023, DCC granted permission for an SDZ application for development consisting of construction of a residential and mixed-use scheme of c. 43,944sq.m comprising of 1 no. block, containing a total of 356no. apartment units, which ranges from 5-18 storeys over basement together with ancillary parking, landscaping and ancillary works. The application included relevant amendments to previously permitted development, Reg. Ref. PWSDZ3270/19 with regard to the public realm. This permission was later amended by Reg. Ref. PWSDZ4341/23.

Reg. Ref. PWSDZ3062/24: On 19th January 2024, a planning application was submitted to DCC within the Poolbeg West SDZ seeking consent for the construction of a 6-storey structure to accommodate a Community and Innovation Hub (12,556sq.m) and amendments to permitted developments Reg. Refs. PWSDZ3270/19 and PWSDZ3207/21 relating to tree locations, materials, landscaping, bike parking, etc. Dublin City Council issued a Request for Further Information on 13th March 2024.

Reg. Ref. PWSDZ3468/24 & PWSDZ3461/24: On 28th March 2024, two plannings application were submitted to DCC within the Poolbeg West SDZ seeking to amend permitted development (Reg. Ref. PWSDZ3207/21, which was amended by Reg. Ref. PWSDZ4276/23) consisting of design revisions and installation of plant at roof level of Block K and Block M. DCC is expected to issue a decision by 22nd May 2024.

4.4.2.2 ESB

Reg. Ref. PWSDZ3074/23: On 13th February 2023, DCC granted permission for an application submitted for demolition works and construction of an open cycle gas turbine generating unit and associated plant and equipment. The construction compound for this application is located at Area O, where the 3FM Project will also use as a compound before developing it for use as a Ro-Ro terminal yard.

DPC and the design team have been able to review and take on board issues raised by DCC, the Board, other prescribed authorities and interested bodies in respect of the development projects and proposals listed.

5 PROPOSED DEVELOPMENT

5.1 Description of the Proposed Development

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

- Construction of a new public road and bridge called the Southern Port Access Route (SPAR) to link the South Port Estate with the North Port Estate and the M50 Tunnel. This route, which it is intended will be restricted to commercial traffic, will connect into the internal port road network in the north port at Alexandra Road and run along a north south axis, east of East Wall Road, over the River Liffey east of Tom Clarke Bridge and turning east, north of R131 until moving south of the Poolbeg Yacht Club onto Pigeon House Road and through the existing Lo-Lo container terminal operated by MTL before joining the existing road network at Whitebank Road.
- Relocation of the Lo-Lo container terminal operated by MTL and its expansion onto a new open-piled wharf structure constructed over the River Liffey north of the Poolbeg Generating Station and NORA at Berth 48 with access from Pigeon House Road. This terminal will be supported through the reuse of a waterside yard associated with Berths 46-47 at South Bank Quay. The area totalling 13.7ha identified as Area N and Area L in the Dublin Port Masterplan will be developed to provide additional port capacity and provide a Lo-Lo container terminal with an annual capacity of 324,000 units.
- Conversion of the existing Lo-Lo container terminal currently operated by MTL at Berths 42 to 45 to become a new Ro-Ro freight terminal which will be supported by an existing hardstanding area to the south of Dublin Waste to Energy facility and South Bank Road via an extension to South Bank Road to link with Shellybanks Road. The area totalling 18.2ha identified as Area K1, Area K2 and Area O in the Dublin Port Masterplan will be developed to provide additional port capacity and provide a Ro-Ro terminal with an annual capacity of 360,000 units.
- Demolition of the sludge jetty adjacent to Berth 47A and provision of a 325m diameter ship turning circle in the river channel and dredged to a standard depth of -10.0m CD north of Pigeon House Harbour and Area M as identified in the Dublin Port Masterplan to facilitate larger vessel manoeuvres from river berths.
- Relocation of Port Operations from the North Port Estate and housed in an architecturally designed building next to a new Maritime Village Campus and associated berthage replacing and enhancing existing rowing and sailing clubs' facilities on the peninsula with the construction of a Maritime Village at Pigeon House Road and adjacent to Berth 41.
- Provision of approximately 5ha of the port estate to be brought forward to provide new public realm and open spaces largely contained within a Port Park and Wildflower Meadow, a Coastal Park, and an extension to the Irishtown Nature Park. In addition, c.7.0km of active travel path (cycle, pedestrian, wheelers, etc.) and c.4.9km of new or upgraded footway and heritage interpretations and interventions meeting the Dublin Port Masterplan objective to integrate Dublin Port with Dublin City.

The works required to achieve these elements are summarised in the paragraphs that follow and are set out in detail in Chapter 5, Volume 2 of the EIAR. A Proposed Site Layout Plan - Key Map is provided in **Figure 5-1** below.

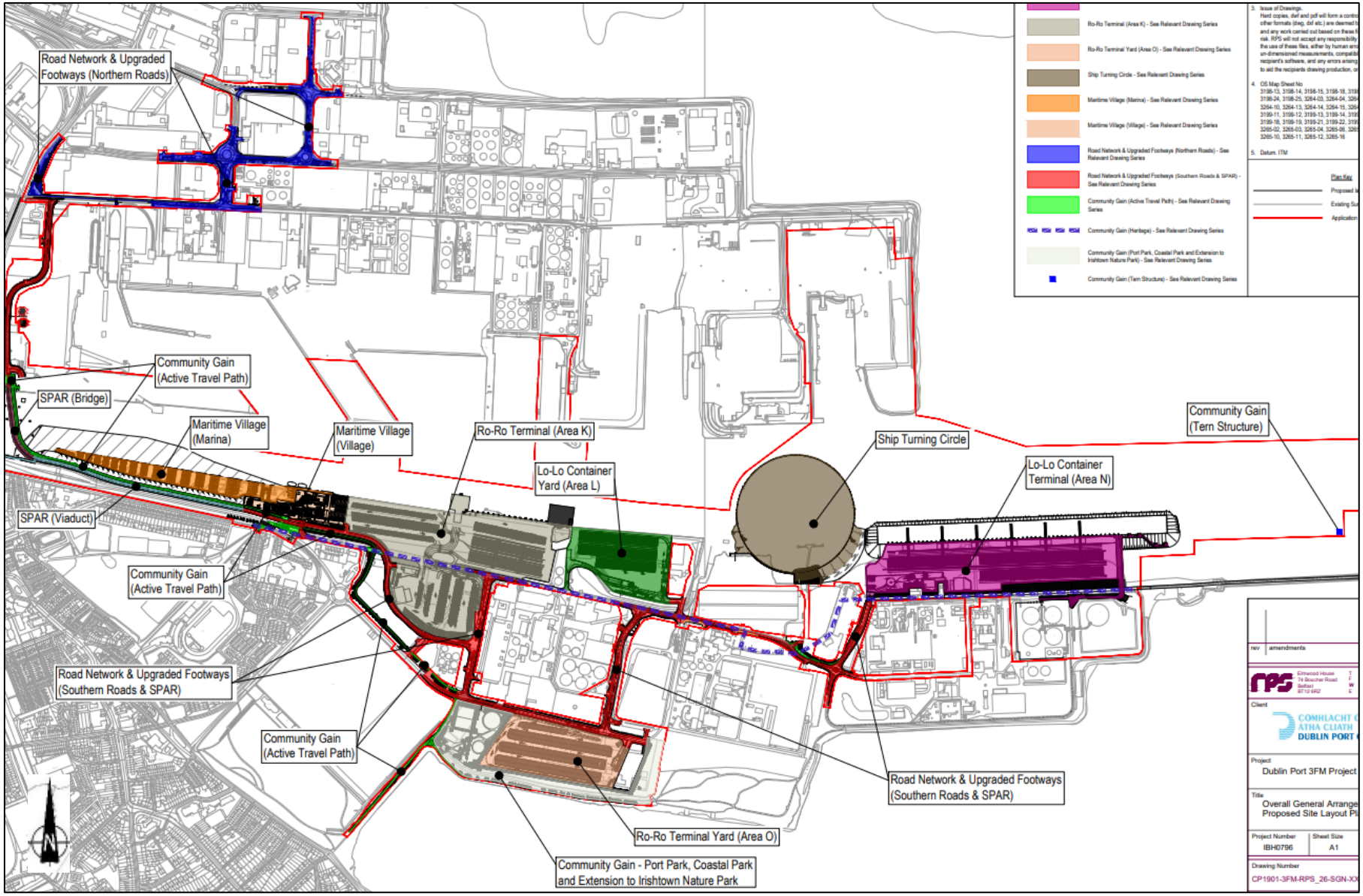

Figure 5-1: Proposed Site Layout Plan - Key Plan

Source: Drawing No CP1901-3FM-RPS_26-SGN-XX-DR-HE-1200-0001 prepared by RPS

5.1.1 Southern Port Access Route

The SPAR is a new 2.3km road, linking the Dublin Port North Estate to the South Estate. The SPAR itself is defined as the entire route from North Wall Quay Extension (protected structure) in the north, to the Area O access point at the south. The route will include a new opening bridge over the River Liffey from North Wall Quay Extension (protected structure) and onto a viaduct that will run alongside the existing R131. The route will facilitate Heavy Goods Vehicles (HGVs), active travel users (pedestrians, cyclists, wheelers etc.), emergency services and public transport users moving to and from the south port and Poolbeg Peninsula. The SPAR will have a direct connection to the Dublin Tunnel via the North Port Estate road system and will also provide connection to the envisaged future rail intermodal facilities north of the river. The SPAR bridge is illustrated in **Figure 5-2**.

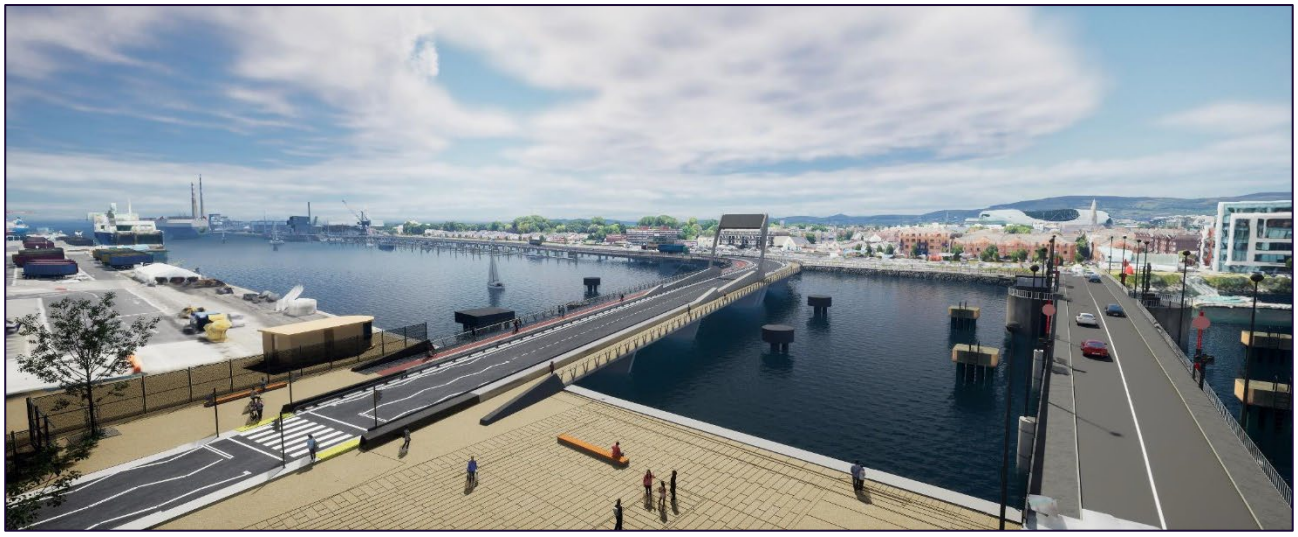

Figure 5-2: SPAR Bridge
Source: RPS

Further road works and improvements to the road network in the north port area and within the Poolbeg Peninsula will be required to facilitate access and egress from terminals and yards to the SPAR and onwards to the Dublin Tunnel. The location of the SPAR and other road works and improvements to the road network in the north port area and within the Poolbeg Peninsula are illustrated on **Figure 5-3** overleaf.

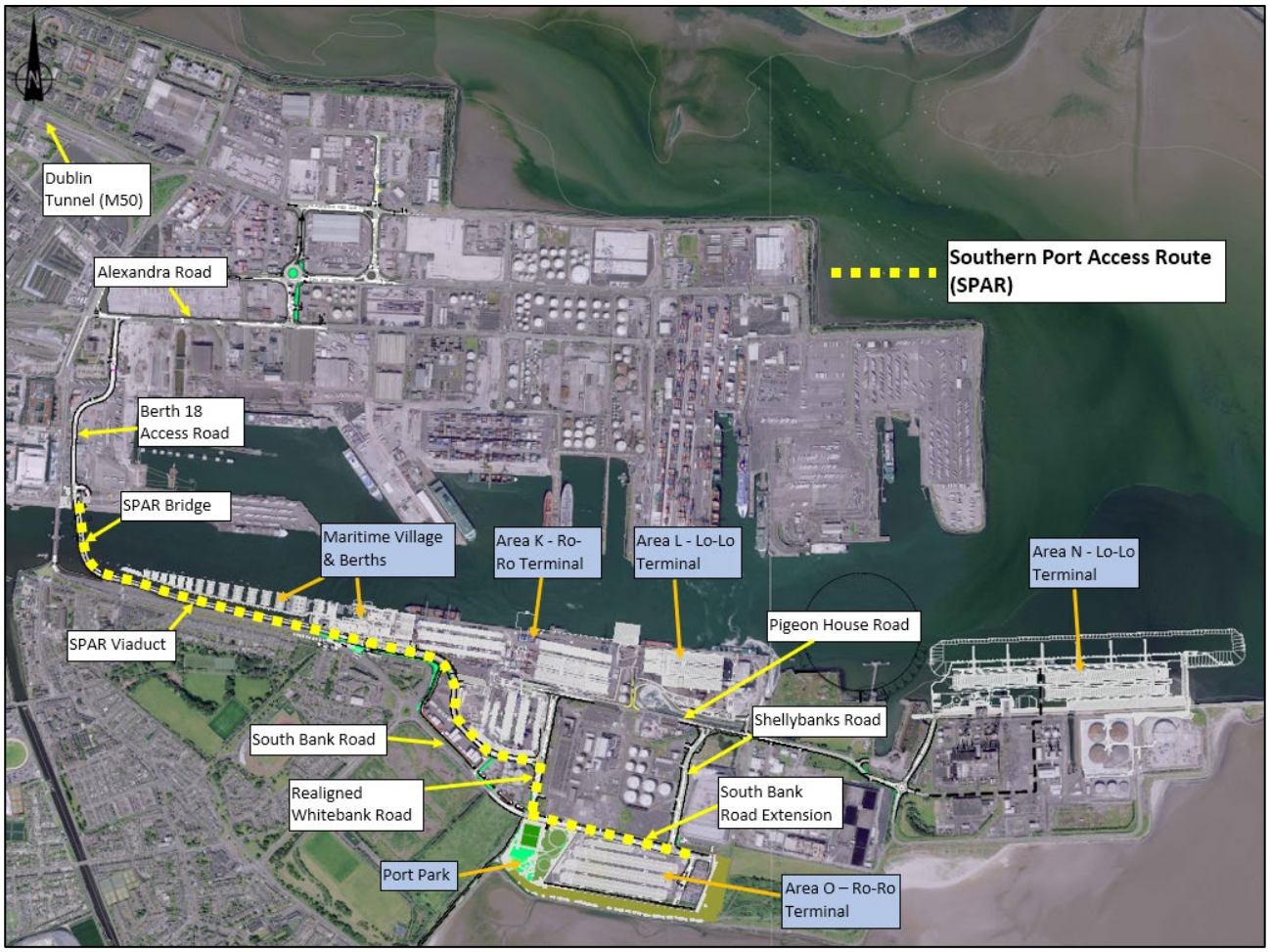

Figure 5-3: SPAR and Other Road Works

Source: RPS

In addition, approximately 7.0km of active travel path (cycle, pedestrian, wheelers etc.) and 4.9km of new or upgraded footway will be provided along this network and will link with the permitted Liffey-Tolka Public Realm Project in the North Port Estate, and from there to the Tolka Estuary Greenway currently under construction by DPC. The active travel pathways are illustrated in **Figure 5-4** below.

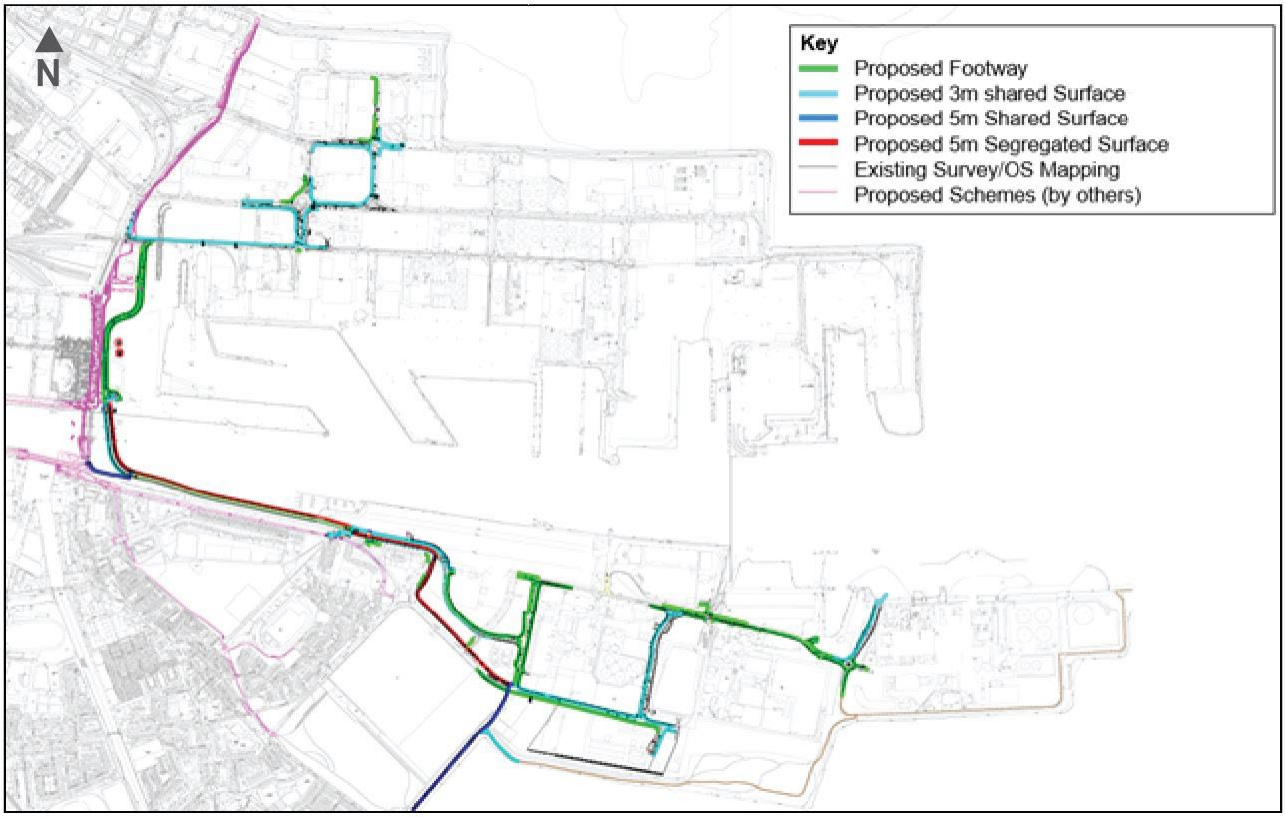

Figure 5-4: Active Travel Path Provision and Upgrades
Source: RPS

All proposed new or upgraded roads are designed to a taking in charge standard.

Further detail is set out in detail in the design reports SPAR (South Port Access, Road Opening) Bridge, Preliminary Design Report (COWI), SPAR (Southern Port Access Road) Viaduct, Preliminary Design Report, and Chapters 5 and 14, Volume 2 of the EIAR.

5.1.2 Lo-Lo Container Terminal

The Lo-Lo Terminal will consist of two main components:

- Dublin Port Masterplan Area N will accommodate an open-piled wharf replacing the Poolbeg Oil Jetty at Berth 48, north of the NORA Poolbeg Facility and ESB Poolbeg Generating Station, with access and egress from Pigeon House Road via a new road through the curtilage of the Former Pigeon House Power Station (protected structure) and bridging structure spanning the Great South Wall (protected structure) on c.9.1ha. Alongside the 650m long wharf will be a berthing pocket dredged to a standard depth of -13.0m CD,
  - The terminal will comprise of a new wharf on an open-piled structure with a reinforced concrete deck supported on tubular steel piles to facilitate cargo handling. The berthing face of the wharf will be c.650m in length and c.135m in width. The level of the wharf will be +4.6m OD Malin. Quay furniture and access infrastructure will be installed. The terminal will include a three-storey (14.8m high) administration building and a maintenance building (12.5m high).
  - A berthing pocket immediately adjacent to the wharf will be dredged to a standard depth of -13.0m CD to provide sufficient depths for vessels at all stages of the tide (533,000cu.m). The terminal will accommodate Lo-Lo vessels of up to 240m length overall, primarily from continental Europe. Localised dredging will also be required to facilitate construction (72,000cu.m).

- A new oil manifold and above ground pipelines will be constructed at the eastern end of the new wharf to facilitate the transfer of fuel between a medium range oil tanker berthed at the wharf and the NORA Poolbeg Oil Storage Tanks. The existing Poolbeg Oil Jetty will be demolished following completion of the new oil facilities including the diversion of services.
- A 4.0m high screen will be installed along the western edge of the wharf to create a visual barrier from the tern colonies.
- The terminal will be accessed from a new road and bridge north of the Pigeon House precinct and the wharf accessed via a new bridge crossing above the Great South Wall (protected structure). Measures are included in the design to preserve the integrity of Great South Wall (protected structure).
- The terminal will be operated using Ship-to-Shore (STS) cranes and Rubber Tyred Gantry (RTG) cranes, across 1,088 TEU ground slots, with six high container stacking.

Figure 5-5: CGI Water Level View of Proposed Area N – Lo-Lo Terminal, looking south
Source: RPS

- The terminal will operate in conjunction with a transit container storage yard located on the yard associated with Berths 46-47 currently used for bulk cargo handling, identified in the Dublin Port Masterplan as Area L.
  - Site clearance will include the demolition of a number of existing structures serving the current sites and the provision of a container storage and handling yard with a new reinforced concrete slab tied into the existing quay levels tougher with a single-storey (4.9m high) administration building and ancillary yard and access infrastructure.
  - Access and egress from Pigeon House Road to include measures in the design to preserve the integrity of Great South Wall (protected structure).
  - A new boundary wall will be constructed between the container yard and the neighbouring EcoCem Plant use.
  - This terminal will be operated using RTG cranes, across 637 TEU ground slots, with six high container stacking.

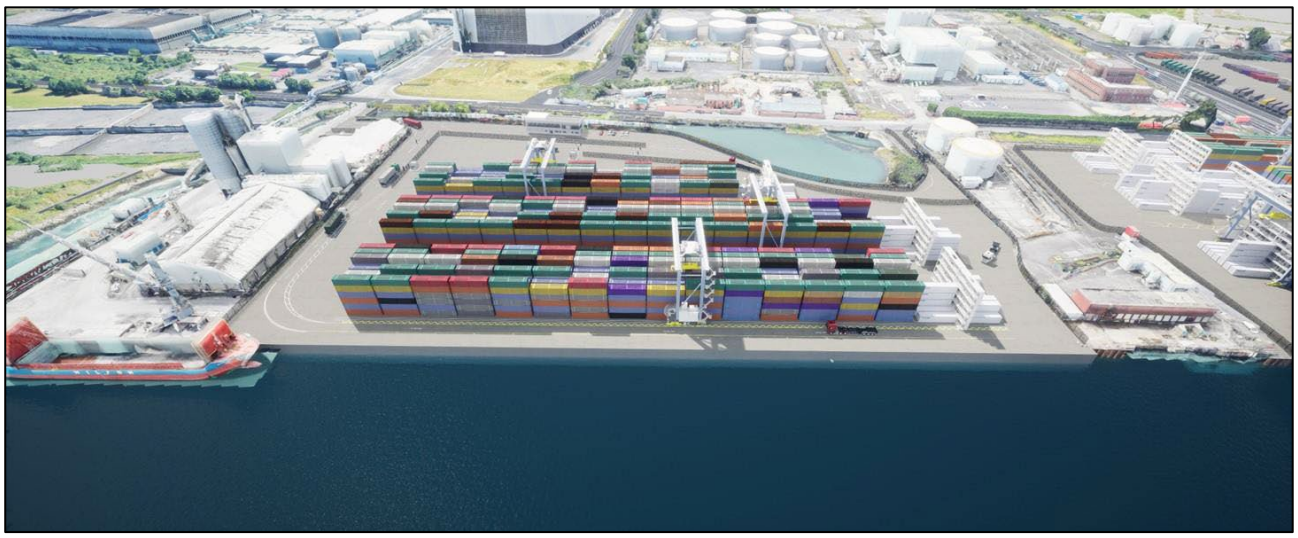

Figure 5-6: CGI Water Level View of Proposed Area L – Lo-Lo Terminal, Looking South
Source: RPS

Further detail is set out in detail in Chapter 5, Volume 2 of the EIAR

5.1.3 Ro-Ro Container Terminal

The Ro-Ro Terminal will consist of two main components:

- A terminal to be located adjacent to existing Berths 42 – 45 including provision of two berths each with a single tier Ro-Ro ramp, together with associated cargo handling facilities. This terminal will accommodate Ro-Ro vessels of up to 240m length, primarily from continental Europe, each with a single tier Ro-Ro ramp, together with associated cargo handling facilities on land identified as Dublin Port Masterplan Area K.
  - Site clearance, and demolition or removal of a number of existing structures and construction of a reinforced concrete deck slab will be constructed for HGV/terminal tractors and for RTG stacking areas associated with the Ro-Ro ramp and berths together with administration and maintenance buildings, ancillary infrastructure and main access from Whitebank Road.
  - Eastern portion of Berth 44 and the majority of Berth 45 will be re-fronted with a steel combi-wall and scour protection measures installed to protect the ESB 220kV cables running under the Liffey between the eastern end of Berth 45 and Breakwater Road in the North Port Estate. Single tier Ro-Ro ramps will be constructed on Berth 44 and quay furniture installed.
  - Measures are included in the design to preserve the integrity of Great South Wall (protected structure).
  - Landside operations will comprise 441 TEU ground slots for trailers, with a section of six high container stacking, served by RTGs for transit storage of containers arriving on cassettes (CONRO).

Figure 5-7: CGI Water Level View of Proposed Area K – Lo-Lo Terminal, Looking South
Source: RPS

- This terminal will be supported by a transit Ro-Ro terminal yard located on the southern side of the Poolbeg Peninsula on Dublin Port Masterplan Area O where:
  - A new reinforced concrete yard slab will be constructed to provide for trailer handling and storage, with standard road construction details for the access route and circulation lanes and ancillary yard infrastructure.
  - A reinforced concrete retaining wall will be constructed along the southern boundary of the site to retain the existing perimeter bund. The area behind the retaining wall be in infilled and planted to form part of the Coastal Park.
  - The site will be operated across 354 trailer ground slots, with single height containers or trailers only.

Further detail is set out in detail in Chapter 5, Volume 2 of the EIAR

The locations of the Lo-Lo and Ro-Ro terminals are illustrated in **Figure 5-8.**

Figure 5-8: Location of Lo-Lo and Ro-Ro Terminals
Source: RPS

5.1.4 Ship Turning Circle

The ship turning circle will enable safe navigation and efficient manoeuvring of vessels up to 240m in length. The boundary with Masterplan Area M (47A Hardstand) will comprise a 225m vertical steel combi-wall. The construction of the Turning Circle will require the demolition of the existing sludge jetty, infill (26,500cu.m), excavation of part of Dublin Port Masterplan Area M, and capital dredging to a standard depth of -10.0m CD including the formation of side slopes (444,000cu.m). A rock armour revetment will protect an existing outfall from Ringsend WwTP. Navigation markers and lights will be provided on the Turning Circle perimeter. The masonry wall to the south of the Turning Circle forms part of the original Pigeon House Harbour Wall (protected structure), measures are included to preserve the integrity of this structure and maintain its visibility above the high-water line.

Further detail is set out in detail in Chapter 5, Volume 2 of the EIAR

5.1.5 Maritime Village

The 3FM Project will require the demolition of the existing Poolbeg Yacht & Boat Club and the Stella Maris Rowing Club buildings and Marina, to make way for the proposed SPAR. The existing facilities will be replaced by the construction of a sailing, rowing and maritime campus (Maritime Village) which will have a significantly larger footprint including the hinterland to Berth 41 (currently part of the existing Lo-Lo container terminal operated by MTL). A building for Port Operations will also be located next to these facilities.

- The new accommodation for the Stella Maris Rowing Club, Poolbeg Yacht & Boat Club, and the Maritime Training Centre will be expressed as three distinct building volumes at ground and first floor level, with a unified external deck area at the first-floor level to unite the three volumes.
- The Maritime Village berths will be capital dredged to a standard depth of -3.0m CD (197,000cu.m). To enable capital dredging works and construction of the new marina facilities to proceed, the existing yacht swinging moorings will be removed and temporary pontoons put in place along North Wall Quay Extension (protected structure), to accommodate the displaced yachts.
- The Maritime Village will include a boat maintenance shed, a communications mast, public plaza, installation of Seafarers' Memorial, a feature crane, berth access, a 258-berth marina facility, nine berth rowing pontoon facility and ancillary infrastructure.
- Port Operations will be relocated from the North Port Estate to the South Port Estate to beside this new maritime campus providing another dimension to activity at the site. It will be accommodated within a 5-storey (with plant) structural steel framed building, with glazed facades to all elevations and large cantilevered floor and roof slabs. Port Operations will have direct access to the SPAR.

Further detail is set out in the Maritime Village Architectural Design, Landscape Design, Engineering, Mechanical and Electrical Services and Concept Lighting reports and also within Chapter 5, Volume 2 of the EIAR.

Figure 5-9: Artist impression of Maritime Village and Port Operations
Source: Darmody Architects

5.1.6 Amenities & Community Gain

In addition to the active travel path facilities and infrastructure and the development of a sailing, rowing and maritime campus (Maritime Village), other proposed new public amenities include:

- Port Park and Wildflower Meadow, Coastal Park and extension to Irishtown Nature Park, on c.5.2ha:
  - The development of Port Park and wildflower meadow represents a rejuvenation of previously underused industrial lands, creating a contemporary parkland that offers public spaces and amenities designed to cater for a range of activities, functions, and environmental considerations. The park will accommodate a floodlit multi-use games facility with toilet pavilion, a play tower, bicycle parking, tree planting, public lighting and seating along pathways. A wildflower meadow will also form part of the park and will consist of natural mown pathways for pedestrian permeability and connectivity. A 5m wide shared-user path will be constructed along the active track and pedestrian corridor, to the west of Port Park, and a 3.5m active travel route to the south of Port Park will connect with the existing pathway eastwards towards Irishtown Nature Park.
  - The Coastal Park at this location lies adjacent to a coastal path which comprises a raised berm that is planted with trees and shrubs. This feature will be retained under the 3FM Project except for a small section to strengthen the linkage between Port Park and Pembroke Cove to the south. An area between the existing berm and a proposed retaining wall along the southern boundary of the proposed Ro-Ro Terminal (Area O) will be landscaped and planted to enhance the existing features and increase biodiversity.
  - Irishtown Nature Park lies to the east of the proposed Ro-Ro Terminal yard (Dublin Port Masterplan Area O). The 3FM Project will provide an extension to the Irishtown Nature Park on Port owned land immediately to the east of the proposed Ro-Ro Terminal Yard (Area O).
  - Construction of the open spaces and amenities will entail clearance of the site area, including demolition of existing buildings.
- Provision of an additional permanent marine structure (dolphin) to expand the available habitat and range of the Dublin Port Tern Colonies. The platform level will be +4.6m OD Malin and will comprise a reinforced concrete deck supported on steel piles and will be located to the north of Great South Wall (protected structure) and east of the new Lo-Lo Container Terminal at Dublin Port Masterplan Area N.

- A series of measures are included in the overall design of the 3FM Project to preserve the integrity of Great South Wall (protected structure). In addition to these measures, and as a further soft value measure in celebration of port heritage, the 3FM Project proposes to create a visual corridor along the Great South Wall (protected structure) with the inclusion of Interpretative Markers to delineate the alignment within the application area between the Maritime Village and ESB Poolbeg Generating Station. The Interpretative Markers will be made from stainless steel to demarcate the northern parapet wall and corten steel to demarcate the southern parapet wall. The markers will form an acute triangular shape of various height dependent on location and sightlines.

Figure 5-10: Artist impression of Port Park
Source: Darmody Architects

Further detail is set out within the Port Park and Active Travel Architectural Design, Landscape Design and Concept Lighting Reports and also within Chapter 5, Project Description Volume 2 of the EIAR.

5.1.7 Dredged Material and Piling Works

Areas of proposed dredging works are shown in **Figure 5-11**.

Figure 5-11: Location of dredging (loading) sites and Licensed offshore disposal site
Source: RPS

Following comprehensive sediment chemistry sampling and analysis programme the Marine Institute confirmed that it has no objection to the disposal of 1,117,000cu.m of dredged sediments at the licensed offshore disposal site, located at the approaches to Dublin Bay west of the Burford Bank illustrated on **Figure**

5-11. The loading and dumping of the dredged material will be subject to a separate Dumping at Sea Permit from the Environmental Protection Agency (EPA).

Options for the disposal of material unsuitable for disposal at sea include being used as fill for Berth 52/53 under a revised Industrial Emissions (IE) licence subject to availability of receptor capacity, recovered at a soil recovery or soil treatment facility in Ireland subject to testing of the sediments in line with the selected facility licence at the time of the works, recovered at a soil treatment facility in Great Britain or northern Europe; or disposed of at a licenced landfill facility in Ireland. A detailed description of the disposal options is presented in Chapter 8, Volume 2 of the EIAR.

Piling works are required on land to provide the foundations of buildings and within the Liffey to provide the marine infrastructure required for the 3FM Project.

Full details with respect proposed piling are provided in Chapter 5, Volume 2 of the EIAR.

5.2 Construction Methodology

The 3FM 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, *inter alia,* construction management plans, demolition plans and waste management plans.

A draft CEMP has been prepared by RPS to support the 3FM Project application and is enclosed as part of the application pack. It is proposed that the CEMP will be finalised subject to permission so as, *inter alia*, to incorporate measures required pursuant to conditions attached to any grant of permission and agreement on points of detail with DCC. Similar to the ABR Project[20] and MP2 Project,[21] it is anticipated that regular ongoing liaison meetings will be maintained between DCC 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.

5.2.1 Construction Programme

The construction period provides for the proposed development to be undertaken over a 15-year period in a programmed sequential manner as dictated by:

- the work itself,
- the requirements of the operational port and other stakeholders, and
- the relevant environmental constraints.

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 and preliminary sequencing programme is described in detail in Chapter 5, Volume 2 and Appendix 5, Volume 3 of the EIAR.

Based on its experience with respect to the ongoing delivery of the ABR Project and the MP2 Project, DPC estimate once other consents and permits are secured (e.g. Maritime Area Consent, Dumping at Sea), design development completed, procurement completed, compliance agreements in place, that a 12-18 month period will be required before construction works can commence following receipt of planning permission. 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. It is highlighted that the construction programme illustrates the necessity for a 15-year permission, given the scale and complexity of the project, with the clear illustration of the quantum of works to be undertaken after Year 10. The sequence is illustrated in **Figure 5-12** below.

[20] PLN 29.PA0034

[21] ABP-304888-19

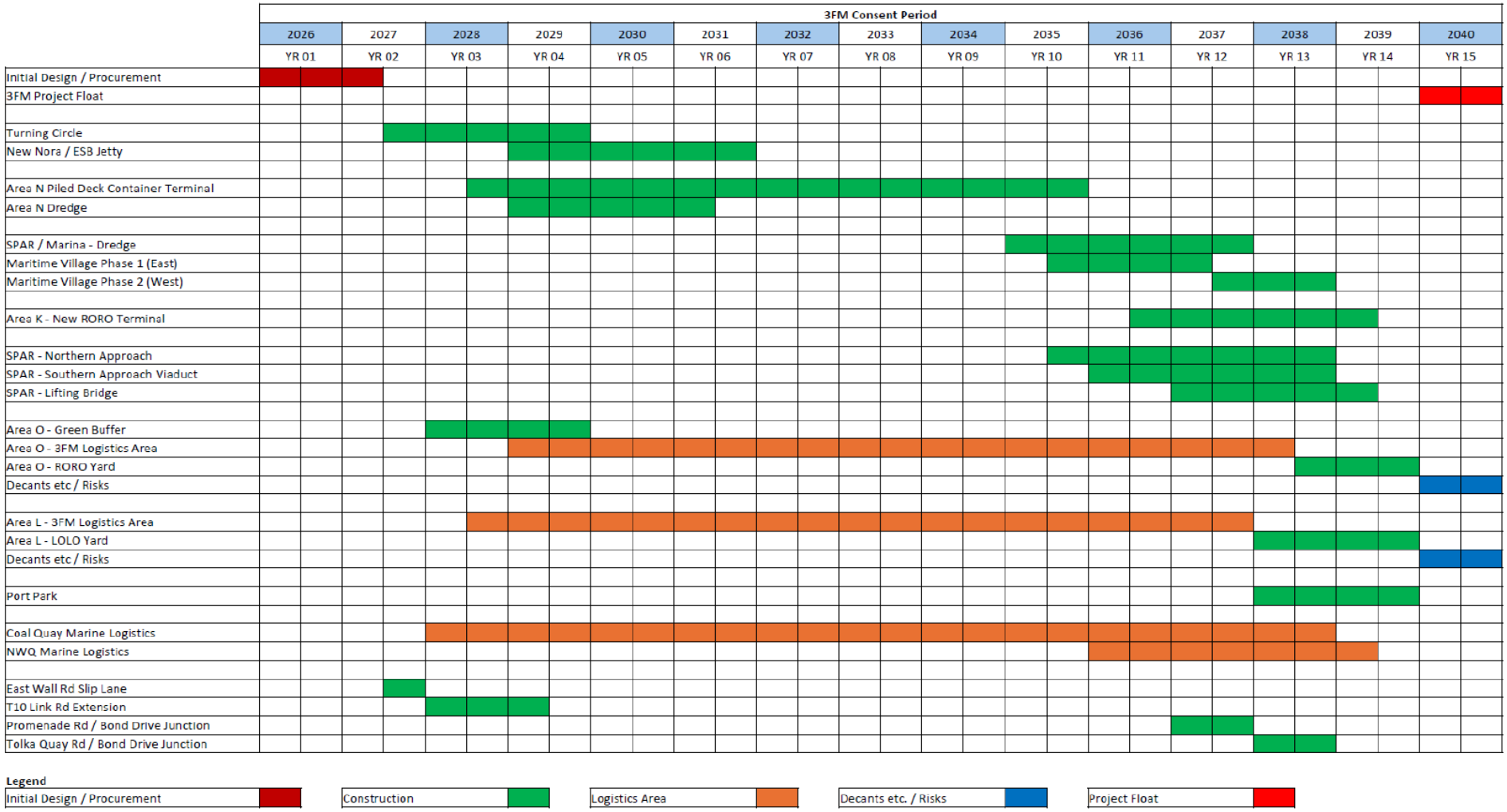

Figure 5-12:Construction Sequencing Programme

Source: RPS

The construction sequence envisages:

- Road upgrades to be undertaken at the outset of the project to facilitate access to construction logistics zones and to the key 3FM Project sites.
- The proposed Ro-Ro Terminal Yard (Area O), the proposed Lo-Lo Terminal Yard (Area L) and an area at North Wall Quay Extension will be used for landside and marine logistics respectively for up to the first 10 years of the project duration.
- Tree planting and landscaping will be undertaken early in the project to create green buffer zones, particularly around Masterplan Area O, in order to provide a barrier to mitigate visual impacts.
- Construction of the Turning Circle and Lo-Lo Terminal (Area N) will commence at an early stage in the project which includes the construction of the open-piled wharf at Area N. Both will entail capital dredging which will be confined to the winter months (October to March).
- The additional tern colony platform will be constructed at an early stage of the construction of the open-piled wharf at Area N.
- The completion of the new Lo-Lo Terminal (Area N) will allow the existing Lo-Lo Terminal, operated by MTL, at Area K to be relocated to Area N. This in turn will free up Berth 41 for the construction of the buildings associated with the Maritime Village and Port Operations.
- The freeing up of space at Area K also allows for the construction of the new Ro-Ro Terminal.
- Then the SPAR Bridge, SPAR Viaduct and the Maritime Village berths will commence.
- Construction of the Lo-Lo Container Yard (at Masterplan Area L) and Ro-Ro Terminal (at Masterplan Area O) are required after Year 10 of the 3FM Project, when the sites are no longer needed as logistics areas.
- Port Park and Wildflower Meadow together with the Coastal Park and the extension to Irishtown Nature Park will be completed within the final 5 years of the project.

The construction sequence, described above, has been designed to enable the construction works to proceed without significant disruption to existing port operations and to enable the continued use of the marina facilities at Poolbeg. However, to satisfy these constraints, the construction of the SPAR Bridge can only be completed towards the end of the construction sequence. The transportation of plant, materials and construction staff to site must therefore use the existing road networks. Consequently, the construction sequence has been used to derive an estimate of the maximum envisaged construction traffic volumes in order to undertake a robust assessment of the maximum potential impact on the local road network, in combination with other planned construction activity in the area, and to assess the maximum potential impact at sensitive receptors with regard to noise and air quality.

Details with regard to the construction impacts 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 21, Volume 2 of the EIAR and within the Summary of the Mitigation Measures Report and NIS prepared by RPS enclosed as part of the application documentation.

6 PLANNING POLICY CONTEXT

6.1 Trans-European Network – Transport (TEN-T)

Principally, the European Union (EU) has defined a series of Trans-European Networks (TENs) which include transport, telecommunications and energy networks across Europe. The Trans-European Transport Network (TEN-T) policy develops a Europe-wide network of railway lines, roads, inland waterways, maritime shipping routes, ports, airports and railroad terminals. The ultimate objective is to close gaps, remove bottlenecks and technical barriers, as well as to strengthen social, economic and territorial cohesion in the EU while creating integrated and intermodal long-distance, high-speed corridors. The current TEN-T policy is based on Regulation (EU) No 1315/2013[22], known as the TEN-T Regulation. A proposal for a revision of the TEN-T policy was tabled in December 2021, aiming to create better alignment with the European Green Deal, and the Sustainable and Smart Mobility Strategy. Negotiations on the proposal are ongoing. An amended proposal was made in July 2022 by the European Commission in response to the Russian invasion of Ukraine, proposing the extension of four corridors to Ukraine and Moldova to accelerate change toward a standard European railway gauge, promoting European integration.

The network is made up of the Comprehensive Network and a sub-set of infrastructure designated as the Core Network. The Core Network is the most strategically critical part of the system. Transport infrastructure in the Core Network is required to be completed to the standard set out in the TEN-T Regulation by 2030 at the latest. The Comprehensive Network is a wider chain of infrastructure which the TEN-T Regulation requires to be completed by 2050.

'Motorways of the Sea' is a concept in the EU's transport policy which emphasises the importance of sea transport. These corridors are considered to be the maritime pillar of the TEN-T Policy. 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. In doing so, it aims at providing more efficient, commercially viable and sustainable alternatives to road-only transport.

As set out in the current regulation, the TEN-T Policy consists of two layers, the core and the comprehensive network.

- The core network includes the most important connections linking major cities and nodes, and must be completed by 2030. There are nine core network corridors. The North Sea-Mediterranean Core Network Corridor (purple) 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 in a designated Node on the North Sea-Mediterranean Core Network Corridor and on the Atlantic Corridor. Dublin Port and the network are illustrated on **Figure 6-1** below.
- The comprehensive network connects all regions of the EU to the core network and needs to be completed by 2050.

With Brexit, part of the North Sea-Mediterranean Corridor required modification. This was undertaken under Regulation (EU) 2021/1153. The modification consisted of, *inter alia*:

- The extension of the Corridor in Ireland westwards to connect the Port of Shannon Foynes;
- The addition of maritime links between the three Irish core ports of Dublin, Cork and Shannon Foynes, and core ports in the range from Le Havre to Amsterdam (Le Havre, Calais, Nantes-St Nazaire, Dunkerque, Zeebrugge, Antwerp, Ghent, and Terneuzen (North Sea Port), Rotterdam and Amsterdam).

[22] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02013R1315-20240318

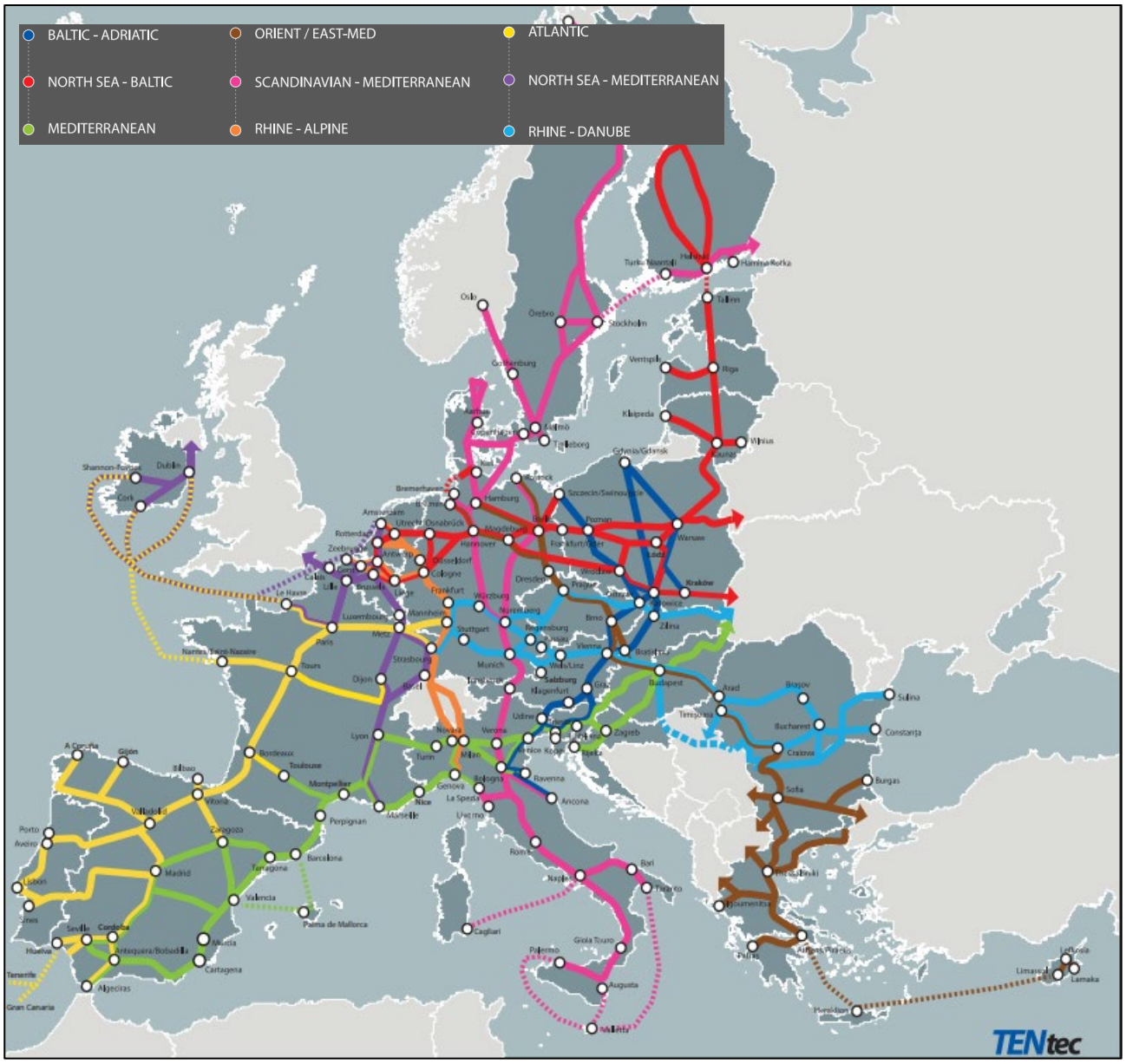

Figure 6-1: TEN-T Core Network Corridors and Dublin Port

Source: https://ec.europa.eu/transport/infrastructure/tentec/tentec-portal/site/maps_upload/SchematicA0_EUcorridor_map.pdf

The 3FM Project forms part of targeted investment in infrastructure required to fulfil Dublin Port's confirmed function as part of the EU TEN-T core network.

6.2 Relevant National Planning and Development Policy

6.2.1 National Ports Policy

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.

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)

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.

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."*

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)

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)

The National Ports Policy states that:

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

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.

It is the Government's position, as expressed in the National Ports Policy, 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.

The 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.

The 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)

The 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)

The 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)

The 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.

It is clear from the 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. On the delivery of the 3FM Project Dublin Port will reach its capacity limits.

The Irish Ports Capacity Study was prepared for the Irish Marine Development Office (IMDO) in June 2023. To determine the capacity of Irish ports to handle forecasted demand to 2040, a demand forecast model was developed to assess the likely throughput of trade goods over the period. The study states;

"Whilst the demand forecast model focuses on how GDP drives trade, the reverse is also likely to be true. This means that any failure to maintain sufficient port capacity could have a major negative impact on the economy, starving it of the materials it needs to continue strong growth. The same is true for exports, as failure to export would lead to reductions in foreign earnings and loss of trading opportunities for Irish exporters." (Chapter 8-5)

The study specifically addresses unitised modes in Dublin Port.

On Ro-Ro, the study noted that demand in Dublin is likely to increase over time with Dublin Port requiring approximately two million units per year in Ro-Ro freight capacity. On Lo-Lo, the study noted that Dublin Port has the greatest Lo-Lo throughput nationally and that this is unlikely to change, which requires Dublin Port to increase its Lo-Lo capacity by 2027.The study specifically notes that DPC is planning for such an increase, a core part of which is the 3FM Project.

In October 2023, the first phase of public consultation was announced for the Review of the National Ports Policy. A Draft National Ports Policy is programmed to be issued for consultation in Q4 2024. The Issues Paper on the Review of Ports Policy is supportive of DPC and specifically recognises the need for all planned port projects to ensure that capacity is met, stating:

"It must be stressed that failure to proceed with investment in capacity, infrastructure, equipment and hinterland connectivity poses serious risks to the future success of Ireland's ports and the national economy." (page 18)

Policy clearly endorses and supports the proposed development contained in the 3FM Project, as it recognises the need for expanded capacity to support regional, national and globe trade. This capacity has been identified as a crucial Government strategic objective.

6.2.2 Project Ireland 2040

By 2040, there is projected to be approximately one million additional people living in Ireland[23]. This population growth will require new jobs, new homes, heightened cultural, and social amenities, enhanced regional connectivity and improved environmental sustainability. Project Ireland 2040 sets out to deliver these.

The National Planning Framework (NPF) and the National Development Plan 2021-2030 (NDP) combine to form Project Ireland 2040, which is accompanied by the National Marine Planning Framework (NMPF), a maritime equivalent to the NPF. The NPF sets out the Government's vision and strategy for the development of Ireland to 2040. The NMPF delivers a clear policy context for managing Ireland's territorial waters. The NDP provides the enabling investment and capital expenditure projections to implement these strategies. Both the NPF and the NMPF reference significant alignment between Sustainable Development Goals as provided by the UN Agenda 2030 for Sustainable Development[24] (which include good health and wellbeing, decent work and economic growth, sustainable cities and communities, climate action, life below water, life on land and partnership and goals).

In combination, the NPF, NMPF and NDP form Project Ireland 2040, which when executed will bring about improvements and growth to support a growing country.

6.2.2.1 National Planning Framework

The NPF[25], published in July 2018, is the primary articulation of spatial, planning and land use policy in Ireland. It is the uppermost policy in the Irish planning hierarchy, from which subsequent policies and frameworks are derived.

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.

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 102)

The framework recognises the National Ports Policy stating:

> *"National ports policy requires Tier 1 and Tier 2 ports, or ports of national and regional significance, to lead the response in meeting Ireland's future port capacity requirements. There are major redevelopment projects taking place at our Tier 1 ports (i.e. Dublin, Cork and Shannon-Foynes) at present. These developments will result in a greater concentration of traffic through these ports, with implications for shore-based and marine-based infrastructure.*
>
> *The long-term international trend in ports and shipping is toward increased consolidation of resources in order to achieve optimum efficiencies of scale. This has knock-on effects in terms of*

[23] Based on Prospects for Irish Regions and Counties: Scenarios and Implications, Economic and Social Research Institute (ESRI), December 2017, https://www.esri.ie/system/files/publications/RS70_0.pdf. Updated projections have not been prepared based on Census 2022.

[24] https://sdgs.un.org/2030agenda

[25] https://www.npf.ie/wp-content/uploads/Project-Ireland-2040-NPF.pdf

> *vessel size, the depths of water required at ports and the type and scale of port hinterland transport connections.*
>
> *Tier 1 ports are located within close proximity to Dublin, Cork and Limerick and the role of these ports will be considered and addressed in tandem with long-term infrastructural requirements as part of the relevant Regional Spatial and Economic Strategy and concurrent and subsequent metropolitan area or city/ county development plan processes".* (pages 102-103)

The NPF provides a set of growth enablers, National Strategic Outcomes (NSO) and National Policy Objectives (NPO) with which regional and local planning policy must align.

NPO 40 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)

NSO 6 outlines *"High-Quality International Connectivity".* The framework notes that, nationally, infrastructure objectives have been identified to improve land transport connections to the major ports. Infrastructure requirements pertaining to Dublin Port are identified as:

> *"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 37 & 145)

Considering the wide scope of the 3FM Project, other policy areas of importance warranting enhanced consideration include provisions for improved connectivity and infrastructure, promoting active travel and improving social and cultural facilities and opportunities, all of which combine to see communities supported and bettered.

NPO 27 states:

> *"Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages."* (page 82)

Similarly, it is identified within the NPF that the *"expansion and improvement of the bus, DART and Luas/Metro"* in Dublin is *"critical to Ireland's competitiveness"* (page 36).

National Strategic Investment Priorities are derived from the NSOs, within which are significant crossovers with the aims of the 3FM Project, including environmentally sustainable public transport, airports, ports, culture, heritage and sport.

The Minister for Housing, Local Government and Heritage announced on 20th June 2023 that the process to undertake the first revision of the NPF has commenced [26]. The *Draft First Revision to the National Planning Framework* (Draft NPF) was published for public consultation on 10th July 2024. The Draft NPF continues to recognise and support the National Ports Policy and acknowledges the importance of Ireland's ports. Much of the current NPF has been carried forward to the Draft NPF, includes NSO 4 (NSO 6 in the current NPF), NPO 51 (NPO 40 in the current NPF). It also identifies the following as a *"Key future growth enablers for Dublin"*:

> *"Facilitating the growth of Dublin Port through greater efficiency, including improved rail freight transfer options, automation and technology updates, limited expansion into Dublin Harbour and improved road access, particularly to/from the southern port area".* (page 33)

[26] https://www.gov.ie/en/press-release/aac78-minister-obrien-outlines-revision-process-for-national-planning-framework/

The Draft NPF also continues to promote modal shift, active travel and improving social facilities. Submissions regarding the Draft NPF are currently being accepted and will inform the revised NPF.

The proposed development contained within the 3FM Project strongly aligns with the objectives and policies contained within the NPF, particularly as it relates to maintaining economic growth through port expansion to deliver additional port capacity. To this extent, the growth of Dublin Port is directly supported by the NPF under NSO 6 and NPO 40. The proposed development of the SPAR will allow for greatly enhanced connectivity to the southern port lands, and facilitate the concentration of port activities on existing port lands, to deliver the additional port capacity required to support future economic development. In line with the principles of compact growth, Dublin Port is to maximise the utilisation of brownfield lands rather than the need to resort to significant infill/reclamation options further east into Dublin Bay. The 3FM Project is aligned with this principle and is consistent with national planning policy.

The proposed development also plays a significant role in enhancing the connectivity across the River Liffey and improving access to the surrounding areas neighbouring Dublin Port. The provision of the SPAR within the 3FM Project includes sufficient space to facilitate a planned expansion of the LUAS, if required, which has been identified as critical to Dublin's competitiveness and which will enhance sustainable public transport access to residents and works alike in the southern port area, Ringsend, Irishtown, and will support future residential growth at the former Irish Glass-Bottle site within the Poolbeg West Strategic Development Zone (SDZ).

The proposed development also includes built heritage initiatives, public realm improvements, biodiversity enhancement and active travel measures north and south of the river Liffey that will ensure a more attractive, liveable area for the local community in the vicinity and wider area.

6.2.2.2 National Marine Planning Framework

Marine Spatial Planning (MSP) in Ireland is underpinned at the highest level by the European Marine Spatial Planning Directive (Directive 2014/89/EU) (MSPD). Ireland's first marine spatial plan, National Marine Planning Framework[27] (NMPF), published in June 2021, serves as a parallel to the NPF, and enables the Government to set a clear direction for managing Irish seas, clarify objectives and priorities and direct decision makers, users and stakeholders towards strategic, plan-led, and efficient use of marine resources. The NMPF has been prepared with an ecosystem-based approach and has been informed by best available knowledge.

With respect to Key Issues for Marine Planning the NMPF states that:

> *"Ports and shipping are the country's trading lifeline. Safeguarding access to ports, harbours and navigation channels is vital to the national economy. The safety and security of shipping and ports must be taken into consideration when considering all other applications for activity or development in the vicinity of ports or shipping channels. Consideration within proposals of features of importance in areas of shipping as well as within port and harbour jurisdictions can be enhanced through reference to the most up to date nautical charts.*
>
> *Brexit has brought into renewed focus the importance of Ireland's ports as nodes in the logistics chain and in keeping Ireland connected internationally. As the economy grows, the ability of our ports to respond by adding capacity and adjusting to new environmental and technological demands is imperative to ensure the sustainability of our economic success. Marine development should not be permitted where it would restrict access to, or future expansion of, commercial ports or the development of new ports, which may be needed in the future."* (page 154)

The NMPF recognises that all Tier 1 ports are currently engaged in significant phases of infrastructure investment in relation to their masterplans. The frameworks states:

> *"Dredging is essential to maintain channels and deepen berths especially as the sector is moving to ever-larger ships with greater capacity. Dredged material may be disposed of at marine sites licensed by the EPA or, if possible, used for alternative purposes such as land reclamation or beach*

[27] https://www.gov.ie/pdf/?file=https://assets.gov.ie/139100/f0984c45-5d63-4378-ab65-d7e8c3c34016.pdf#page=null

nourishment to minimise disposal at sea. Locations of disposal sites may change over time for a variety of reasons, for example the exhaustion of site capacity, monitoring requirements, or the need for new sites in additional locations. Designated areas are required to dispose dredged material to ensure that ports subject to silting can be kept operational and maintain their depths, in particular when urgent dredging is required after storm activity. Identification of new dredge disposal sites should be supported by robust feasibility and site selection, and should include a review of existing sites in the context of climate adaptation." (page 155)

In terms of growth the NMPF states:

"Freight volumes are expected to continue to increase over the coming decades, while vessel sizes are also predicted to grow and vessel types set to further diversify. In this context accessibility, capacity and navigational safety will be significant challenges for all players and port development will trend seawards. Allocation of sufficient space for future growth, the strategic identification of long-term port locations and development of existing ports all need to be factored into long-term economic and spatial planning (terrestrial and marine)." (page 155)

With respect to interactions with other activities the NMPF notes that all marine sectors rely on ports and shipping activities. It observes *inter alia* that integration and alignment is needed between terrestrial and marine planning processes to ensure that ports link with public transport to encourage sustainable travel, where it is financially viable to do so, and terrestrial planning should co-ordinate with and support ports with the necessary transport links and suitable road networks. (page 156)

Ports, Harbours and Shipping objectives include:

- *"Safeguard the operation of ports as key actors in the economic wellbeing of the State through the provision of safe and sustainable maritime transport.*
- *Facilitate a competitive and effective market for maritime transport services.*
- *Sustainable development of the ports sector and full realisation of the National Ports Policy with a view to providing adequate capacity to meet present and future demand, and to adapt to the consequences of climate change.*
- *Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, ports of regional significance, and smaller harbours are appropriately addressed in regional and local marine planning policy".* (page 150)

Planning Policies for Ports, Harbours and Shipping include:

"1 To provide for shipping activity and freedom of navigation the following factors will be taken into account when reaching decisions regarding development and use:

- *The extent to which the locational decision interferes with existing or planned routes used by shipping, access to ports and harbours and navigational safety. This includes commercial anchorages and approaches to ports as well as key littoral and offshore routes;*
- *A mandatory Navigation Risk Assessment;*
- *Where interference is likely: whether reasonable alternatives can be identified; and*
- *Where there are no reasonable alternatives: whether mitigation through measures adopted in accordance with the principles and procedures established by the International Maritime Organisation can be achieved at no significant cost to the shipping or ports sector.*

2 Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference:

a. avoid,

b. minimise, or

c. mitigate significant adverse impacts, and

d. *if it is not possible to mitigate significant adverse impacts on current activity and future opportunity for expansion of port and harbour activities, proposals should set out the reasons for proceeding.*

3 *Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities must demonstrate consideration of the National Ports Policy, the National Planning Framework, and relevant provisions related to the TEN-T network.*

4 *Proposals within ports limits, beside or in the vicinity of ports, and / or that impact upon the main routes of significance to a port, must demonstrate within applications that they have:*

- *been informed by consultation at pre-application stage or earlier with the relevant port authority;*
- *have carried out a navigational risk assessment including an analysis of maritime traffic in the area; and have consulted Department of Transport, MSO and Commissioners of Irish Lights. Applicants must continue to engage parties identified in pre-application processes as appropriate during the decision-making process.*

5 *Proposals for capital dredging will be supported where it is necessary to safeguard national port capacity and Ireland's international connectivity, and where required compliance assessments associated with authorisations have been carried out and incorporated into subsequent competent authority decision(s).*

6 *In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity*

7 *Proposals for maintenance dredging activity will be supported where:*

- *relevant decisions by competent authorities incorporate the outcome of statutory environmental assessment processes, as well as necessary compliance assessments associated with authorisations, including in relation to the planning process;*
- *there will be no significant adverse impact on marine activities or uses or the maritime area. Any potential adverse impact will be, in order of preference, avoided, minimised or mitigated;*
- *dredged waste is managed in accordance with internationally agreed hierarchy of waste management options for sea disposal;*
- *if disposing of dredged material at sea, existing registered disposal sites are used, in preference to new disposal sites; and*
- *where they contribute to the policies and objectives of this NMPF.*

8 *Proposals that cause significant adverse impacts on licensed disposal areas should not be supported. Proposals that cannot avoid such impact must, in order of preference"*

a) *minimise,*

b) *mitigate, or*

c) *if it is not possible to mitigate the significant adverse impacts, proposals must set out the reasons for proceeding.*

9 *Proposals for the management of dredged material must demonstrate that they have been assessed against the waste hierarchy (see Glossary).*

10 *Proposals identifying new dredge disposal sites which are subject to best practice and guidance from previous studies should be supported where:*

- *competent authority decisions incorporate necessary compliance assessments associated with authorisations; and*
- *they contribute to the policies and objectives of this NMPF.*

Proposals must include an adequate characterisation study, be assessed against the waste hierarchy and must be informed by consultation with all relevant stakeholders." (page 150 & 151)

The NMPF seeks to ensure that all activities and required infrastructure and maintenance efforts are supported and uninterrupted by other maritime development, owing to the national strategic importance of Irish ports, especially Dublin Port, given that it accounts for almost 50% of all trade in the State.

The 3FM Project has been considered in the context of the NMPF and represents the final phase toward ensuring that Dublin Port fulfils and carries out its function as a Tier 1 port within the EU and National port hierarchies.

6.2.2.3 National Development Plan

The implementation of the NPF will be fully supported by the Government's investment strategy for public capital investment. The National Development Plan 2021-2030[28] (NDP) identifies the strategic priorities for public capital investment in order to underpin the implementation of the NPF and NMPF.

The NDP identifies strategic priorities for public capital investment in order to underpin the implementation of the NPF and NMPF.

NSO 6 *"High-Quality International Connectivity"* seeks to target continued investment in port and airport connections to the UK, EU and the rest of the world. Given that Ireland is an island, this is considered by the NDP to be integral to underpinning Ireland's international competitiveness.

The NDP notes that major capital infrastructure programmes are currently ongoing in Tier 1 Ports, namely Dublin, Cork and Shannon Foynes. These will enhance national and international connectivity, provide for future increases in trade and national port capacity requirements by facilitating more vessels, larger sized vessels and increased tonnage and throughput. The NDP adds that none of these projects receive exchequer funding. However, strengthening access routes to Ireland's ports through investment to upgrade and enhance the transport network to improve journey times is and remains a Government priority.

The NDP highlights several road projects that were proposed under previous NDP that are subject to further approvals, which explicitly includes *"M50 – Dublin Port South Access Road".*

The 3FM Project consists of the next phase of this capital infrastructure programme at Dublin Port and is consistent with national policy. As the population and economy expand (as envisaged by the NPF), so Ro-Ro and Lo-Lo volumes will grow. Over the period to 2040, therefore, Dublin Port's importance will continue and it is essential that the port expands capacity continually to cater for the country's needs.

As noted in the NDP major capital infrastructure programmes do not receive exchequer funding: however, the 3FM Project will contribute towards the achievement of NSO 6 *"High-Quality International Connectivity"* which is central to the delivery of the NPF.

6.2.3 Climate Action Plan 2024

The Climate Action Plan 2024 (CAP24) is the third revision to the series of national climate action plans. CAP24 builds upon previous interactions and details a roadmap to reduce Ireland's emissions by half by 2030 and to net-zero no later than 2050. Measures such as carbon budgets and sectoral emissions ceilings are included to aid in achieving Ireland's emissions targets. CAP24 underpins many other policy documents, ensuring that emissions reductions are encompassed throughout, such as the identification of the role of enhanced spatial and land use planning as a means to reduce emissions through well-connected consolidation of activities. CAP24 was issued for public consultation on 21st February 2024, which closed for public comment on 5th April 2024. Following this consultation, CAP24 was approved by Government on 21st May 2024, superseding the Climate Action Plan 2023.

Under CAP24, a key element relates to emission reductions in the transport sector. It is noted that the transport sector must reduce its emissions to remain within the stipulated carbon budget of 54 MtCO2eq. (2021 to 2025) (page 233). Among the key actions identified are improvements of public transport and active travel

[28] https://www.gov.ie/pdf/?file=https://assets.gov.ie/200358/a36dd274-736c-4d04-8879-b158e8b95029.pdf#page=null

infrastructure. The delivery of the proposed SPAR will incorporate infrastructure for active travel, providing linkages across the River Liffey facilitating improved connectivity for both public transport and active travel options thereby aiding in reducing transport related carbon emissions, in alignment with CAP24.

The SPAR will also allow the 3FM Project to be rail enabled through rapid road shunting of freight by electric vehicles, or other low carbon sources, from the South Port Estate, across the Liffey, to the envisaged future rail intermodal facility in the vicinity of the North Port Estate. Whilst the construction and operation of the SPAR is not dependent upon the delivery of the rail intermodal facility, the SPAR has been designed in a sustainable manner to facilitate both the potential future development of the rail intermodal facility and also the potential extension of the LUAS.

Given the embryonic nature of both potential projects, neither the rail intermodal facility nor LUAS are included in the 3FM Project application. The former project is envisaged as being located on Irish Rail/Iarnród Éireann lands on Sheriff Street and East Wall Road and will require a separate application by Irish Rail/ Iarnród Éireann for planning permission. Construction of the 3FM Project will therefore enable freight landed at the South Port Estate to access the national freight rail network as presently configured and to avail of any future uplift in demand for rail freight. The design of the SPAR Bridge has been future-proofed to accommodate a potential LUAS crossing of the Liffey comprising two LUAS tracks. The 3FM Project has been designed so that it does not compromise potential future LUAS route alignments towards Irishtown and/or the Glass Bottle Site.

The SPAR can facilitate public transport bus-based transport and will expand pedestrian and cycle networks which will assist in facilitating the delivery of modal shift. These physical aspects of the proposed development will contribute towards supporting key actions set out in the CAP24. Chapter 11, Volume 2 of the EIAR contains an assessment of the greenhouse gas emissions associated with the proposed development.

6.2.4 National Sustainable Mobility Policy

The National Sustainable Mobility Policy[29] (NSMP) is the national policy setting out a strategic framework for both active travel and public transport, which supports Ireland's commitment to reducing carbon emissions. The policy sets out support for safe and sustainable travel modes, by shifting to a people-based-focus. Many of these goals set out under the policy support the expansion of existing infrastructure such as the Luas network and a national cycling network.

The 3FM Project proposes the delivery of a key strategic piece of infrastructure that will facilitate sustainable mobility – that being the SPAR. The SPAR will accommodate bus based public transport and will provide active travel infrastructure thereby providing a key link across the River Liffey. This will support sustainable mobility in the wider area. It is also designed to facilitate a future expansion of the LUAS should the demand be required.

Following the publication of the policy the National Cycle Network Plan was prepared which comprises an inter-urban cycle network (incorporating the regional and national greenways network, as appropriate), with a view to enabling greater levels of cycling and walking amongst leisure users, tourists, and commuters. Within this plan part of the Liffey Tolka Project is to be incorporated into a route facilitating linkages between transport hubs in the city and Dublin Port. The implementation of the 3FM Project will further supplement and extend cross city connections.

It is submitted that the implementation of the 3FM Project will contribute to modal shift towards sustainable transport options through *inter alia* expanding, enhancing and linking with existing pedestrian and cycle networks and facilitating bus based public transport thereby further strengthening Port-City integration.

[29] https://www.gov.ie/pdf/?file=https://assets.gov.ie/220939/15aab892-f189-4ab6-8448-0c886176faac.pdf#page=null

6.2.5 Draft All-Island Strategic Rail Review

The All-Island Strategic Rail Review[30] will inform all future development of the railway network on the island in a cohesive manner between now and 2050. The review was initially launched in 2021 and a draft was published for public consultation in July 2023.

The draft notes that current modal share for rail in terms of freight total tonne kilometres is just 1%. It is considered that the island of Ireland could support up to 10% modal share by rail for freight, when looking to other European states with comparable conditions. The draft states:

> *"Future rail freight services within the island of Ireland are likely to be most viable where there is a sufficient critical mass of cargo movements (in terms of tonnes-lifted). In general, this means rail freight is likely to be competitive on corridors that support at least one million tonnes per annum of road freight covering distances above 100km. This suggests the greatest potential for intermodal rail freight will focus on routes between Dublin and the largest cities on the island of Ireland, while the greatest potential for outbound flows is from the North West to the South Coast ports."* (page 64)

With respect to Dublin Port the draft states:

> *"Dublin Port will play a key role in helping grow rail freight in Ireland. The 2040 Dublin Port Masterplan plans for growth through consolidating the existing estate and expanding on the Poolbeg peninsula. Rail connectivity to the current port area is poor – part of the railway runs on and across busy roads, creating significant conflicts with road traffic – and there is currently no rail connectivity to Poolbeg. These challenges will need to be addressed to realise the objective of growing rail freight in Ireland to reduce road congestion and decarbonise the transport system."* (page 64)

The draft contains 30 recommendations, of which four relate directly to freight rail:

> *"21. Develop a sustainable solution for first-mile-last-mile rail access for Dublin Port. Without this connection, there are limited options for growing rail freight.*
>
> *22. Reduce Track Access Charges for freight services. These charges are very high compared to other European railways but could be reduced through support/government subsidy to stimulate demand for rail freight.*
>
> *23. Strengthen rail connectivity to the island's busiest ports where links are feasible and improve access to ports that currently are underserved by rail freight, including Foynes for Limerick, Waterford, Marino Point for Cork, and Rosslare Europort (in the longer term, when LoLo operations are feasible here, or, in the shorter term following analysis of the feasibility of RoRo rail freight).*
>
> *24. Develop a network of inland terminals close to major cities on the rail network especially where there is good access to major roads/motorways, limited impact on communities and passenger traffic, and good access to industrial clusters. Potential locations for new terminals include the Upper Bann area for Northern Ireland, Limerick Junction, a location north of Cork, Athenry for Galway, Sligo, and west of Dublin."* (page 65)

The SPAR will allow the 3FM Project to be rail enabled through rapid shunting of freight by electric, or other low carbon power sources, vehicles from the South Port Estate to access the national freight rail network in the manner outlined above. The 3FM Project will therefore support the objectives in the finalised All-Island Strategic Rail Review to grow the volume of rail freight on the national rail network.

[30] https://www.gov.ie/pdf/?file=https://assets.gov.ie/265178/a839ee26-16c4-407d-bd5b-327ce0e067f5.pdf

6.3 Relevant Regional Planning and Development Policy

6.3.1 Regional, Spatial and Economic Strategy for the Eastern and Midland Region

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 by the Eastern and Midland Region Assembly (EMRA). 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.

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)

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)

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 the National Ports Policy and the National Aviation Policy and signature projects such as the second runway for Dublin Airport and major redevelopment at Dublin Port.

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)*

In terms of port facilities, the RSES acknowledges the National Ports Policy and 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.

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 the National Ports Policy and the

commissioning of a National Ports Capacity Study to assess the capacity of the national port network, which is now completed[31].

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

> RPO 8.5: *"To support the preparation of a regional strategy for freight transport in collaboration with the relevant transport agencies and the other Assemblies."* (page 189)
>
> 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)

The RSES recognises that Dublin Port is one of five major ports classified as Tier 1 / Tier 2 ports in the 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 3FM Project seeks to redevelop land on which existing port uses take place. The 3FM Project is a vital component in facilitating imports and exports throughput in an efficient manner. It is fundamental that capacity projections up to 2040 are met thereby ensuring 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 3FM 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.

The proposed SPAR will be a key piece of infrastructure, facilitating an important connection across the River Liffey for Dublin Port but also for public transportation and active travel infrastructure. This will aid in connecting other active travel projects in the area, such as the permitted Liffey-Tolka Greenway.

6.3.2 Transport Strategy for the Greater Dublin Area, 2022 - 2041

The Transport Strategy for the Greater Dublin Area, 2022 to 2042[32], prepared by the National Transport Agency (NTA) sets out how transport will be developed across the Greater Dublin Area (covering Dublin, Meath, Wicklow and Kildare) up to 2042 (GDA Transport Strategy).

The strategy has been developed to be consistent with the spatial planning policies and objectives set out in the RSES. These objectives in turn are consistent with the NPF and the NDP as set out in Project Ireland 2040. This strategy is also based on national policies on sustainability as set out in climate action and low carbon legislation, and in climate action plans.

[31] Irish Ports Capacity Study concluded that the demand versus capacity analysis for each of the ports shows that Irish ports generally have sufficient capacity to accommodate current and forecasted demand until 2040, noting that Lo-Lo capacity at Dublin Port is expected to run out around 2038 in the high growth scenario. This analysis assumes Dublin Port Masterplan 2040 is implemented.

[32] Greater Dublin Area Transport Strategy - National Transport

The strategy highlights that Dublin Airport and Dublin Port are two of the most important economic assets in the state. It acknowledges that it is the responsibility of the NTA, through this strategy, to ensure that the landside transport network meets the requirements of these international gateways. In relation to Dublin Port, while the volumes of passenger trips generated are significantly lower than those generated by the Airport, they are of primary economic importance. The location of the port is also a factor which places additional emphasis on the need to cater appropriately for goods vehicles. This strategy incorporates additional road access for the south port, protection of the national road network, public transport, HGV management and demand management measures across the city-region which will facilitate more efficient operations of Dublin Port, in tandem with the requirements of the wider city. Additionally, there is a requirement for Dublin Port to be fully integrated into the regional transport system in order to facilitate passengers who wish to travel by ferry without the use of a private car. Measure INT2 - International Gateways states:

> *"It is the intention of the NTA, in conjunction with public transport operators, TII, and the local authorities, to serve the international gateways with the landside transport infrastructure and services which will facilitate their sustainable operation.*
>
> *Throughout the lifetime of the strategy, the NTA will continue to work with Dublin Port Company, other port and harbour operators and DAA in respect of Dublin Airport, in monitoring, assessing and delivering these transport requirements."* (page 75)

The strategy indicates that there is a clear need to minimise impacts of increased congestion on the national road network and keep these vital national transport arteries operating satisfactorily at all times in so far as practicable. To facilitate the delivery of the NPF objectives NSO2 (Enhanced Regional Accessibility) and NSO6 (High-Quality International Connectivity) within the GDA, improving the resilience and safety of the national road network in order to maintain its reliability and functionality will be critical. The approach by the strategy is to extend the life and optimise the use of the existing network and, where appropriate, minimise the need to build new infrastructure. Measure ROAD2 – National Roads Requirements states:

> *"1. The primary function of national roads is to cater for strategic traffic and this function must be protected;*
>
> *2. Strategic traffic, in the context of national roads, is primarily comprised of inter-urban and interregional traffic. This includes vehicles involved in the transportation of goods and products, especially those travelling to and from the main ports and airports, both freight and passenger related. It also includes buses, other public service vehicles and cars which contribute to national and regional economic development;*
>
> *3. Within the GDA, the asset value, reliability and functionality of the national road network will be protected and maintained;*
>
> *4. Secondary local functions should not be encouraged, or planned for, on national roads in the GDA;*
>
> *5. National roads are not to be developed or planned, to support the continued urban expansion through the zoning of residential land uses adjacent to or within national road corridors;*
>
> *6. Secondary local function traffic on national roads can be accommodated insofar as it does not impact on the primary function, which is to cater for strategic traffic;*
>
> *7. If secondary functions impact on the primary function of national roads, then demand management measures should be considered to mitigate this impact;*
>
> *8. Network resilience will be delivered by enhancing Motorway Operation Services within the GDA, as appropriate; and*
>
> *9. The primary functions of the Dublin Tunnel will be maintained and protected. These functions are to facilitate the movement of goods vehicles between Dublin Port and the national road network and to facilitate access to the City Centre for public transport service vehicles, whilst also facilitating the 'strategic' movement of goods to and from Dublin City Centre, subject to appropriate vehicle size and time restrictions. It is also essential that the structural integrity of the Tunnel from incompatible over ground development is ensured."* (page 170/171)

The GDA Transport Strategy includes details regarding land that had been reserved for use to facilitate the Eastern Bypass, a tunnel connection between the Dublin Tunnel and Sandyford, which would complete a full orbital motorway around Dublin City. It has been determined by the NTA that this project will no longer be progressed as part of the GDA Transport Strategy, in light of the Government's most recent transport policies. It is stated that the lands previously reserved for this project within the Dublin City Development Plan 2022-2028, the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and the Poolbeg SDZ may be released for alternative development. A portion of the reserved lands in Dun Laoghaire-Rathdown is recommended to remain reserved pending further assessment for possible use for alternative transport corridors.

The strategy notes that one of the key issues relating to the port is the difficulty in accessing the south port estate from the national road network, in particular the connection to the Dublin Tunnel. The strategy proposes to address this by means of the delivery of the Southern Port Access Route, a new public road extending from the national road network at the M50 Tunnel to serve the south port lands and adjoining areas. Measure ROAD5 – Southern Port Access Route states:

> *"A new public road which links from the national road network at the Dublin Tunnel to serve the south port lands and adjoining areas will be delivered. A reservation for such development should be included in the Dublin City Development Plan."* (page 173)

In line with RPO 8.5 of the RSES the NTA supports the development of a strategy for freight transport in recognition of the need to reduce the carbon-intensity of freight movements and be cognisant of the inter-regional nature of freight movements, driven in particular by the scale and strategic importance of Dublin Port and Dublin Airport, along with the high concentration of logistics and industrial activity within the GDA. It is a key objective of the NPF under NSO 6 - High Quality International Connectivity and the RSES to safeguard and improve access to Dublin Port and Dublin Airport, as two primary national gateways. Measure FREIGHT2 - Strategy for Sustainable Freight Distribution states:

> *"It is the intention of the NTA, in collaboration with other authorities, including TII and Irish Rail, and stakeholders to prepare a Strategy for Sustainable Freight Distribution for the Greater Dublin Area – to inter alia, support the decarbonisation of the freight sector, to seek to further integrate smart technologies in logistics management and to reinforce the important role that the strategic road and rail network play in the efficient movement of freight."* (page 198)

In this regard, the Sustainable Freight Distribution Framework: Greater Dublin Area (GDA) Sprint Report was since been published (July 2021). This framework was created to guide the process of producing the Sustainable Freight Distribution for the Greater Dublin Area, which itself was published in November 2022. It is intended that a Sustainable Freight Strategy will be developed on foot of this framework.

Underpinning the GDA Transport Strategy's measures relating to freight, delivery and servicing, there is an associated requirement by planning authorities in the GDA for the clear identification in development plans, of appropriate locations for freight intensive developments, and the implementation of Distribution and Servicing Plans for such developments as part of the planning process. Measure FREIGHT3 – Planning Policy and Freight states:

> *"It is recommended that local authorities in the GDA, with the input of the NTA and TII, identify appropriate locations for freight-intensive developments in their Development Plans."* (page 199)

The strategy advises that HGV management proposals may include following in plans:

> *"Ensure that the Dublin Tunnel continues to perform its primary function of providing access to Dublin Port for freight traffic.*
>
> *Provision for appropriate Mobility management planning at key freight intensive locations such as Dublin Port, Dublin Airport and Dublin City Centre."* (page 199/200)

With respect to public transport and provision for LUAS, analysis undertaken in the strategy indicates that demand generated within the Poolbeg SDZ and environs may be catered for by bus, cycling and walking up to 2042, however, depending on the scale and phasing of development, it may be necessary to consider

delivering the LUAS to this area during the later periods of the strategy. The alignment and locations to be served between the existing Red Line and Poolbeg have yet to be determined and will be subject to detailed design and planning work. Measure LRT6 – LUAS Poolbeg states:

> *"Subject to the assessment of forecast travel demand arising out of development patterns in the SDZ and its environs, it is intended to extend the Red line to Poolbeg"* (page 150)

The strategy places clear emphasis on the need to improve and promote active travel infrastructure, in line with the principle of 'Avoid-Shift-Improve'. In line with this approach Measure PLAN16 – Reallocation of Road Space states:

> *"The NTA, in conjunction with the local authorities, will seek the reallocation of road space in appropriate locations in Dublin City Centre, Metropolitan towns and villages, and towns and villages across the GDA in accordance with the road user hierarchy, in order to prioritise walking, cycling and public transport use and prioritise the placemaking functions of the urban street network."* (page 68)

The design of any reallocation is advocated to be aligned with the Design Manual for Urban Roads and Streets (DMURS) and the Cycle Design Manual. The NTA also highlights the importance of the Greater Dublin Area Cycle Network Plan (see **Section 6.3.1**).

The 3FM Project will contribute towards Dublin Port facilitating additional growth in capacity. The need to facilitate the expansion of activity at Dublin Port into the future is fully recognised by the strategy. Importantly, the 3FM Project includes the SPAR which is designed to provide a link from the national road network at the Dublin Tunnel to serve the south port lands. In addition, there is a heightened emphasis on the delivery of public transport, active travel and enhanced accessibility to sustainable modes of transport, all of which the 3FM Project includes as part of this integrated development. The road infrastructure proposed will accommodate bus based public transport and the bridge structure proposed as part of the SPAR has been designed so that it can be modified in the future to accommodate a LUAS provision, should it be decided that the preferred routing of the LUAS is via this route. It is submitted that the implementation of the 3FM Project will contribute to modal shift towards sustainable transport options through *inter alia* expanding, enhancing and linking with existing pedestrian and cycle networks through the provision of active travel infrastructure as part of the proposed development.

6.3.3 Greater Dublin Area Cycle Network Plan

The *Greater Dublin Area Cycle Network Plan*[33] complements the GDA Transport Strategy and was published in 2013. The network forms a key component of the overall transport network for the region. Covering the full Greater Dublin region, it sets out a comprehensive cycle network for development during the period of the GDA Transport Strategy. The proposed network has comprehensive cycling infrastructure covering key routes throughout the city centre. Some secondary routes pass through port lands, or adjacent streets. The plan is currently undergoing a revision process, and a draft publication has been produced for consultation purposes[34]. Consultation feedback informed updates to the draft plan, which is currently being considered by the Minister for Transport.

DPC is in the process of delivering much of the cycle routes infrastructure indicated on Draft GDA Cycle Network Plan Map within the North Port Estate through the delivery of the Tolka Estuary Greenway and the Liffey-Tolka Public Realm Project. The 3FM Project will play a key role in facilitating the realisation of the GDA Cycle Network Plan. While both the current and draft maps indicate a secondary route across the Tom Clarke/East Link Bridge, the SPAR can facilitate this key link for safe cycling infrastructure. The SPAR will connect onwards to the proposed viaduct which will also carry cycling infrastructure running parallel to the existing alignment of the R131, fulfilling the objective of providing a secondary route, while providing safe infrastructure, away from the general flow of motor traffic. Proposals incorporated into the 3FM Project will, therefore, significantly contribute further towards expanding this network to Poolbeg with cycleway infrastructure incorporated into the proposed SPAR and road network upgrades where possible.

[33] https://www.nationaltransport.ie/planning-and-investment/transport-investment/greater-dublin-area-cycle-network-plan/

[34] https://www.nationaltransport.ie/gda/supporting-documents/

Figure 6-2: Extract from GDA Cycle Network Plan Map 1 (2013)
Source: https://www.nationaltransport.ie/wp-content/uploads/2021/02/English_04b_Proposed_Network_Dublin.pdf

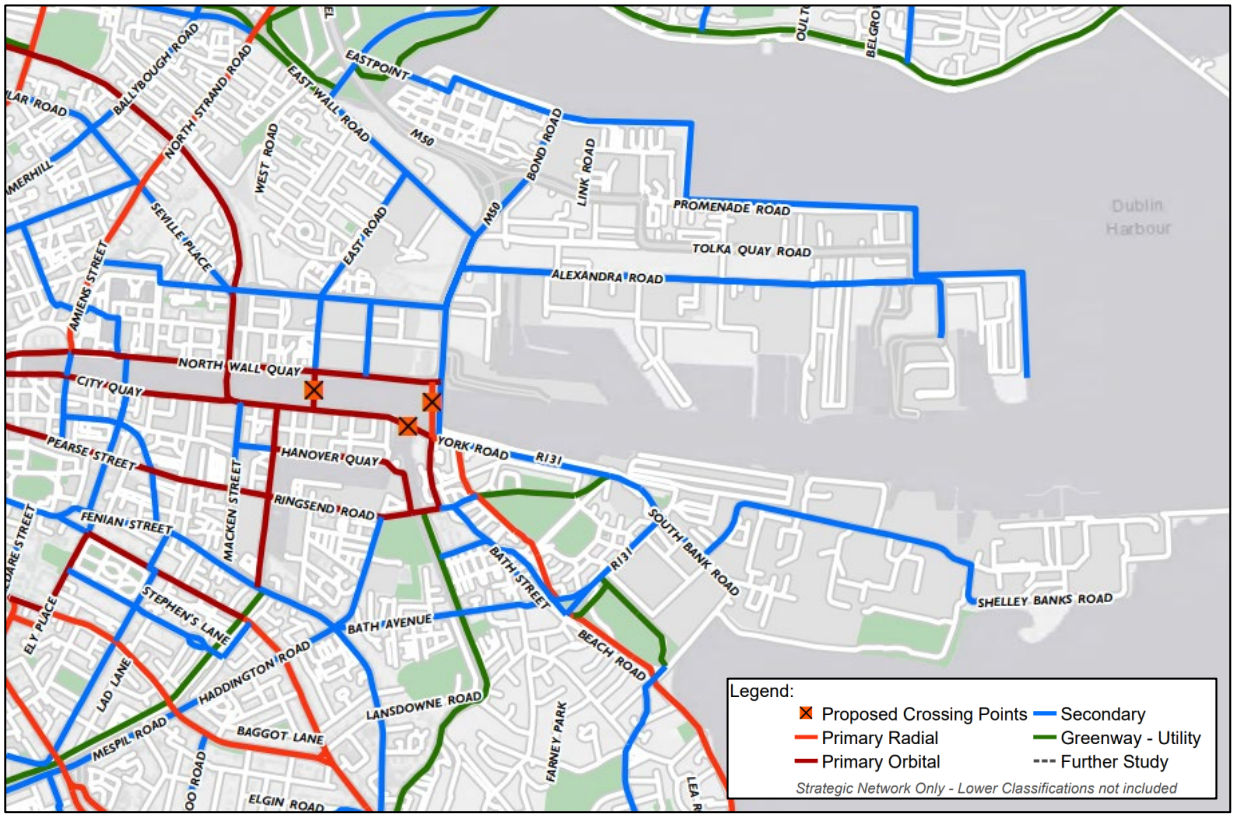

Figure 6-3: Extract Draft GDA Cycle Network Plan Map Set 1 (2021)
Source: https://www.nationaltransport.ie/wp-content/uploads/2021/11/Draft-2021-GDA-Cycle-Network-Plan-Map-Set-1.pdf

6.4 Relevant Local Planning and Development Policy

6.4.1 Dublin City Development Plan 2022-2028

The Dublin City Development Plan 2022-2028[35] (the Development Plan) is the primary statutory land-use planning policy document guiding development within Dublin City. Dublin Port is wholly situated within the boundaries of Dublin City. The Development Plan is emphatically supportive of the role that Dublin Port plays in the city and the country.

Chapter 4 – Shape and Structure of the City under Section 4.5.1 (Approach to the Inner City and Docklands) of the Development Plan recognises and outlines general support for the activities of Dublin Port:

> *"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 city structure and character, while having regard to the Dublin Port Company Masterplan 2012-2040."* (page 113)

The Development Plan states that is the policy of DCC:

> *"SC7: 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 2040."* (page 115)

In Chapter 6 which sets out policy for the City Economic and Enterprise, the Development Plan acknowledges that *"Dublin Port continues to modernise and consolidate its operations with the company making considerable infrastructural investment at the port to facilitate larger vessels and provide for increased capacity"* (page178) and *"is a major transport and logistics hub with Dublin Port providing a direct trading route to the UK and Continental Europe*" (page189).

The Development Plan acknowledges that as Ireland is an export-driven economy on the periphery of Europe the transport and logistics sector is a significant and growing sector in Dublin, noting that logistics and storage is expected to be the fastest growing employment sector in Dublin over the coming decade. In this regard, Dublin Port is accepted as being a particularly important element of the city's transportation and logistics infrastructure and continues to play a significant role in the economy of the city, handling almost half of all trade in the Republic of Ireland and is a key strategic access point for Ireland and the Dublin area.

The Development Plan notes the Dublin Port Company Masterplan and important role that Dublin Port will continue to play in the future development and growth of the city. The Development Plan acknowledges the Masterplan and one of its overall objectives to reintegrate the Port with the city and to create a unique fusion between the working port and the living city through the creation of high quality spaces. This is confirmed by Policy CEE35 which states:

> *"To recognise that Dublin Port is a key economic resource and to have regard to the policies and objectives of the Dublin Port Masterplan 2040 including the reintegration of the Port with the City."* (page 199)

Delivery of social, economic and environmental sustainability is the effective integration of land use and transportation. This is supported in Chapter 8 – Sustainable Movement and Transport where Policy SMT3 Integrated Transport Network states:

[35] https://www.dublincity.ie/sites/default/files/2023-02/Final%20Vol%201%20Written%20Statement.pdf

> *"To support and promote the sustainability principles set out in National and Regional documents to ensure the creation of an integrated transport network that services the needs of communities and businesses of Dublin City and the region."* (page 239)

In addition to supporting economic port activities, accessibility to the port is highlighted in the Development Plan in Chapter 8 – Sustainable Movement and Transport. DCC recognises the important role that the Port Tunnel plays in reducing HGV traffic elsewhere in the city. The provision of the Southern Port Access Route (SPAR) connecting the national road network at the Dublin Port Tunnel to the South Port Estate lands is a policy goal of DCC:

> *"SMT30: To protect national road projects as per the NTA Transport Strategy for the Greater Dublin Area 2022 – 2042 and in consultation with TII, NTA and other relevant stakeholders including the Dublin Port Authority Company to support the delivery of the Southern Port Access Route to Poolbeg, as a public road. The indicative alignment of this road link is shown on Map J."* (page 259)

Other relevant policy points contained within the Development Plan include:

> *"SC4: To promote and support a variety of recreational and cultural events in the city's civic spaces; as well as the development of new and the retention and enhancement of existing civic and cultural spaces."* (page 114)
>
> *"GI36: To develop sustainable estuarine and coastal recreational and tourism amenities which enhance appreciation of coastal natural assets in a manner that ensures that any adverse environmental effects are avoided, remediated or mitigated."* (page 330)

These key strategic policies and objectives of DCC 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 Green Infrastructure and Recreation

The Development Plan identifies natural assets as an *"essential resource for conserving biodiversity and for creating a healthy, low carbon, resilient and connected city"* (page 302). Spaces that are considered natural assets include parks, open space, the coastline and riversides. Historically within the DCC administrative area, there has been a lack of green space owing to a long past of urbanism and development. As a result, the Development Plan ensures that existing open space and natural assets are protected, and supported to improve and expand where appropriate, in addition to requiring more green infrastructure in new developments.

DCC has identified a strategic approach to managing green space, pursuing a network-based approach where possible, which *"can secure a spectrum of environmental, social, and economic benefits for the city thereby, contributing to urban sustainability, climate resilience and providing a good quality of life for people"* (page 305). The existing green and blue network in Dublin City is show in **Figure 6-4**.

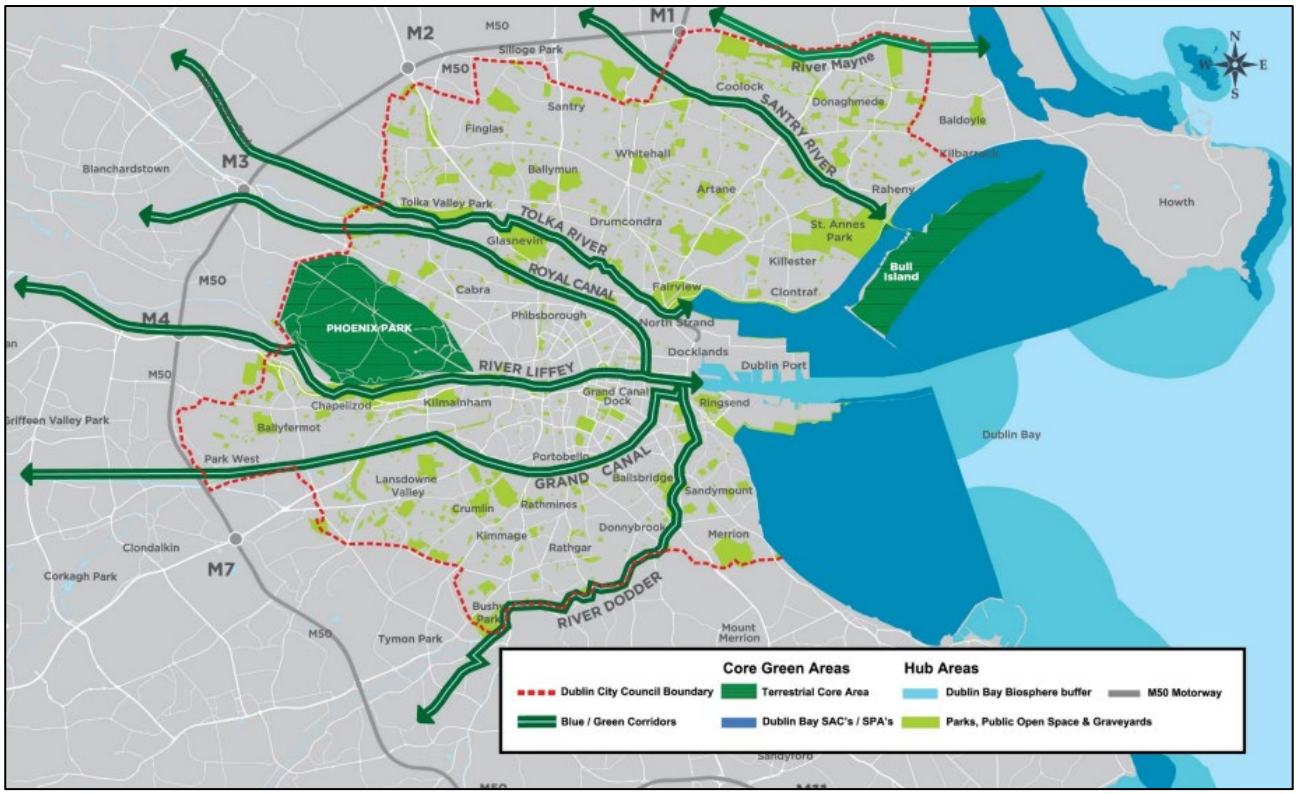

Figure 6-4: Green and Blue Infrastructure Map
Source: Dublin City Development Plan page 308

Relevant objectives and policies pertaining to open space and natural assets include:

- *"GI2: To develop an interconnected green infrastructure network of strategic natural and semi-natural areas with other environmental features including green spaces, rivers, canals, the coastal and marine area and other physical features including streets and civic spaces that supports ecological, wildlife, and social connectivity.*
- *GI3: To ensure delivery of multifunctional green and civic spaces that meet community needs, support biodiversity, promote active and passive recreation, flood and surface water management and local habitat improvements. The multi-functionality of spaces will be balanced against the need to protect and enhance local habitat and the recreational and functional requirements of parks."* (pages 309-310).

DPC has embraced these policies with respect to its development of port lands and access to the River Liffey through the proposed Maritime Village, delivery of well-located active and passive open space within Port Park and wildflower meadow and provision of an additional marine platform to host terns present in the port within the channel just north of the Great South Wall.

6.4.1.2 Strategic Development Regeneration Area

Chapter 13 – Strategic Development Regeneration Areas provides policy and objectives to target specific areas within the city for regeneration designated as Strategic Development Regeneration Area (SDRA). SDRA 6 Docklands is approximately 520ha and covers a visually and culturally significant area of the city. The SDRA covers southern port lands also. Within the SDRA, are two separate Strategic Development Zones (SDZ) – North Lotts and Grand Canal Dock (**Section 6.4.2**) and Poolbeg West (**Section 6.4.3**).

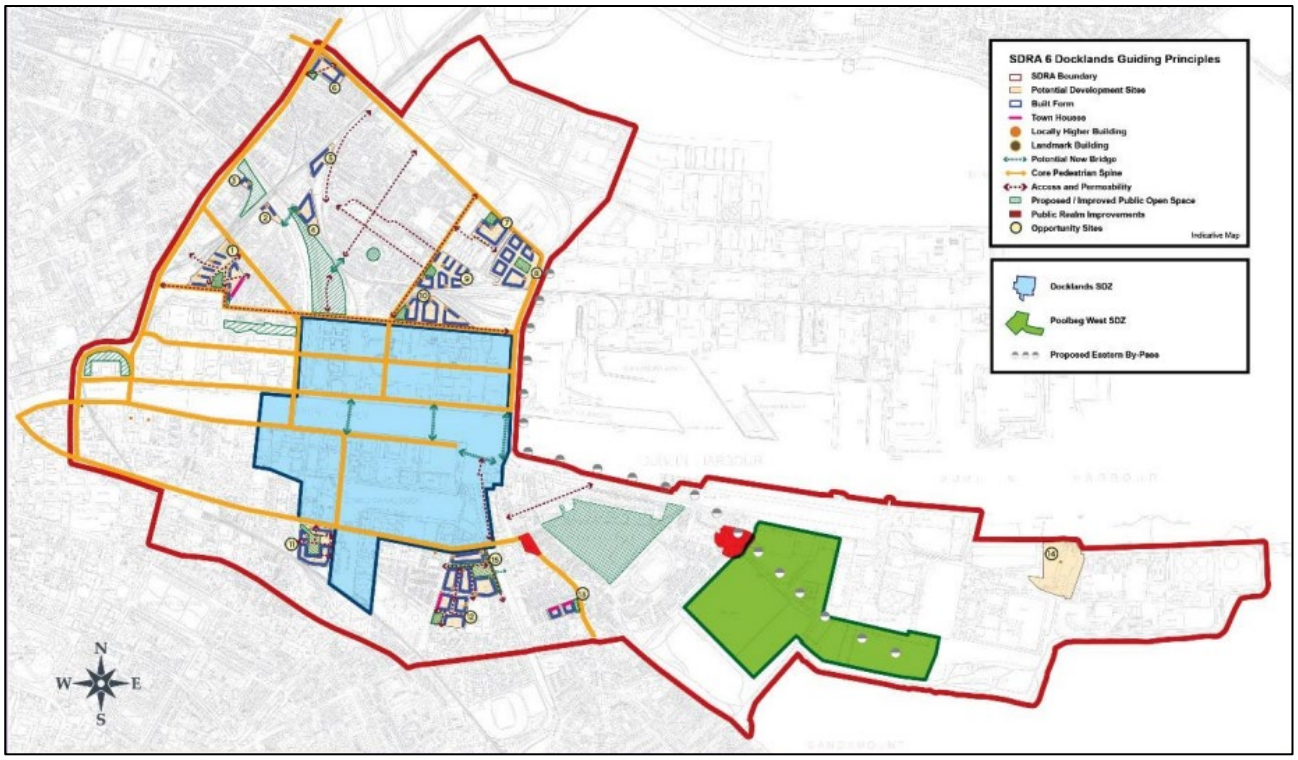

Figure 6-5: SDRA 6 Docklands
Source: Dublin City Development Plan 2022-2028

Development within SDZs is governed by the approved Planning Schemes with respect to planning decisions. Areas within the Docklands SDRA that are not covered by the SDZs are directed by guiding principles set out in the Development Plan, including the following principles, relevant to the proposed development:

Employment & Economic Development

- *"To recognise the significance of Dublin Port Company's non-statutory 2040 Masterplan, and related updates/reviews, as an important guiding document for the future of port lands."* (page 447)

Green Infrastructure

- *"Promote greening initiatives in association with sustainable transport connections both to, and through the port area, improving connectivity to key destinations.*
- *To promote the provision of public open space at locations within key development sites that are visible, accessible and inviting to the wider public.*
- *Support green infrastructure/connectivity initiatives contained in the Ringsend and Irishtown LEIP and improve connectivity to Poolbeg West SDZ.*
- *Provide for the creation of connected recreational and amenity spaces in Poolbeg that strengthen the biodiversity and ecology of the area, with a particular focus on Sean Moore Park and Irishtown Nature Park.*
- *To promote and facilitate the delivery of the Port Greenway and to enhance the amenity of East Wall Road through tree planting, improved pedestrian facilities, and potential expansion of quality public realm.*
- *To support and promote that expansion of water-based activities including slipways, pontoons and marinas."* (page 449)

Movement & Transport

- *"To enhance public realm to accommodate increased pedestrian movement…*
- *To facilitate delivery of cycle routes identified in the NTA GDA Cycle Strategy.*
- *To support the extension of LUAS light rail, a DART Interconnector and improvements to Irish Rail's network including Dart+ projects.*

- *To include an objective for the reservation for a public road linking the national road network at the Dublin Tunnel to serve the southern port lands and adjoining areas (Southern Port Access Route) in accordance with the NTA Transport Strategy for the Greater Dublin Area 2022 – 2042.*
- *To improve sustainable transport connectivity both to and through the area of Dublin Port.*
- *To provide for a Luas stop and line on the south east side of the Sean Moore Road."* (page 449-450)

The 3FM Project has considered and incorporated these principles into the proposed development.

6.4.1.3 Dublin Tunnel & Dublin Port

The Development Plan provides for new street/road infrastructure and improvements to existing streets/roads which will be required over the period of the plan. These are required to improve the efficiency and safety of the street/road network or to open up areas for development.

The Plan states that the Dublin Tunnel is a road traffic tunnel which forms part of the M50 motorway and serves as a key route for heavy goods vehicles (HGVs) travelling to and from Dublin Port. DCC, working together with Transport Infrastructure Ireland (TII), recognises the need to safeguard the structural integrity of the existing Dublin Tunnel from developments.

The Dublin Tunnel plays a significant role as a key route for HGVs travelling to and from Dublin Port. DCC supports the provision of the SPAR, as highlighted in SMT30:

> *"**National Road Projects:***
>
> *To protect national road projects as per the NTA Transport Strategy for the Greater Dublin Area 2022 – 2042 and in consultation with TII, NTA and other relevant stakeholders including the Dublin Port Authority Company to support the delivery of the Southern Port Access Route to Poolbeg, as a public road. The indicative alignment of this road link is shown on Map J."* (page 259)

Figure 6-6 shows an indicative alignment for both the Southern Port Access Route to Poolbeg and for the Luas Poolbeg extension.

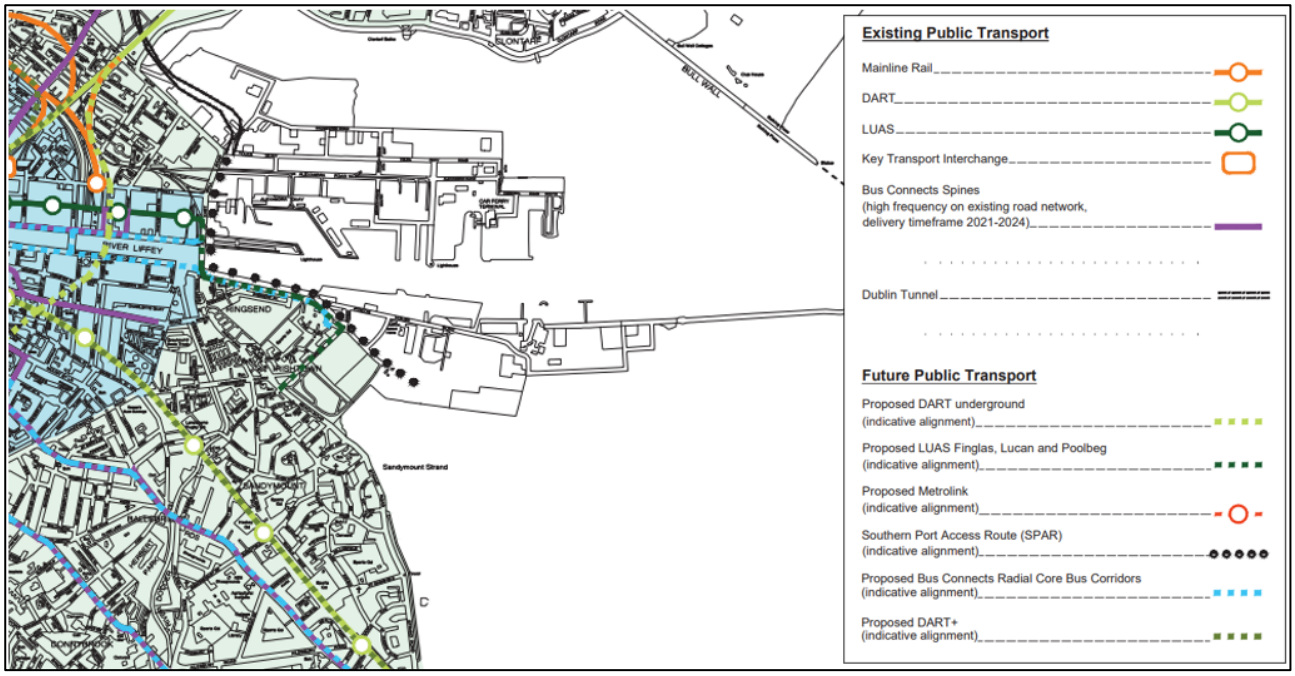

Figure 6-6: Extract from Map J
Source: Dublin City Development Plan 2022-2028

Delivery of the SPAR is a central component of the 3FM Project and the Dublin Port Masterplan 2040. DPC has engaged extensively to reach agreement with the NTA, TII and DCC with regard to the design and operation of the access route as now proposed as part of this application. This alignment and detail of the proposed route has been designed to a taking in charge standard and to tie-in or connect with other network infrastructure works that are permitted and/or at advanced design stage.

6.4.1.4 Transport & Movement

The Development Plan places significant emphasis on the need to encourage modal shift to sustainable transport means, in conjunction with avoiding unnecessary journeys. This transition is supported by policies and objectives such as:

> *"SMT1 Modal Shift and Compact Growth*
>
> *"To continue to promote modal shift from private car use towards increased use of more sustainable forms of transport such as active mobility and public transport, and to work with the National Transport Authority (NTA), Transport Infrastructure Ireland (TII) and other transport agencies in progressing an integrated set of transport objectives to achieve compact growth."* (page 236)
>
> *"SMT01: Transition to More Sustainable Travel Modes*
>
> *To achieve and monitor a transition to more sustainable travel modes including walking, cycling and public transport over the lifetime of the development plan, in line with the city mode share targets of 26% walking/cycling/micro mobility; 57% public transport (bus/rail/Luas); and 17% private (car/van/HGV/motorcycle)."* (page 236)

Part of the shift of course requires investment in and support of public transport projects. A close working relationship is needed between DCC and various state agencies to deliver public transport projects.

The Development Plan sets out the following relevant policy points in relation to public transport:

> *"SMT22: Key Sustainable Transport Projects*
>
> *To support the expeditious delivery of key sustainable transport projects so as to provide an integrated public transport network with efficient interchange between transport modes, serving the existing and future needs of the city and region and to support the integration of existing public transport infrastructure with other transport modes. In particular the following projects subject to environmental requirements and appropriate planning consents being obtained: …..*
>
> - *BusConnects Core Bus Corridor projects….*
> - *Progress and delivery of Luas to Poolbeg and Lucan…."*

Active travel initiatives feature prominently in the Development Plan, as they will be an important way of getting around the city. As such, policy objectives supporting active travel development include:

> *"SMT16 Walking, Cycling and Active Travel*
>
> *To prioritise the development of safe and connected walking and cycling facilities and prioritise a shift to active travel for people of all ages and abilities, in line with the city's mode share targets."* (page 247)
>
> *"SMT17 Active Travel Initiatives*
>
> *To promote and help develop community-based coordinated initiatives at local level that encourage active travel and modal switch to sustainable transport modes, and to target underrepresented cohorts/groups in such initiatives."* (page 247)
>
> *"SMT19: The Pedestrian Environment*
>
> *To continue to maintain and improve the pedestrian environment and strengthen permeability by promoting the development of a network of pedestrian routes including laneway connections which link residential areas with recreational, educational and employment destinations to create a*

pedestrian environment that is safe, accessible to all in accordance with best accessibility practice." (page 248)

"SMT08: Cycling Infrastructure and Routes

To improve existing cycleways and bicycle priority measures and cycle parking infrastructure throughout the city and villages, and to create protected cycle lanes, where feasible. Routes within the network will be planned in conjunction with green infrastructure objectives and the NTA's Cycle Network Plan for the Greater Dublin Area, and the National Cycle Manual, having regard to policies GI2, GI6 and GI8 and objective GI02." (page 248)

"SMTO9 Greater Dublin Area Cycle Network Plan

To support the development of a connected cycling network in the City through the implementation of the NTA's Greater Dublin Area Cycle Network Plan, subject to environmental assessment and route feasibility" (page 248)

As part previously highlighted, the 3FM Project is proposed to further extend the pedestrian and cycle links across the River Liffey on the SPAR and onwards into the Poolbeg Peninsula with the inclusion of c.7.0km of active travel path and 4.9km of new or upgraded footway, which will link with the 1.4km Liffey Tolka Greenway in the north port, and from there to the 4km Tolka Estuary Greenway currently under construction by Dublin Port. The road infrastructure proposed will also accommodate bus based public transport and the bridge structure proposed as part of the SPAR has been designed so that it can be modified in the future to accommodate a LUAS provision, should it be decided that the preferred routing of the LUAS go via this route. It is submitted that the implementation of the 3FM Project will contribute to modal shift towards sustainable transport options through *inter alia* expanding, enhancing and linking with existing pedestrian and cycle networks.

6.4.1.5 Freight

The Development Plan policies relating to freight transport are contained in SMT23, which states:

"SMT23: The Rail Network and Freight Transport….

(i) To facilitate and support the needs of freight transport in accordance with the NTA's Transport Strategy for the Greater Dublin Area 2022 – 2042 and enhance the capacity on existing rail lines and services to provide improved facilities promoting the principles of sustainable transport to cater for the movement of freight by rail.

(ii) To support the outcomes of the Iarnród Éireann/Irish Rail Rail Freight 2040 Strategy." (page 253)

Dublin Port has actively promoted the use of rail and is engaging with Iarnród Éireann to agree principles that would enable the efficient movement of cargo by rail. In this regard the SPAR will allow the 3FM Project to be rail enabled through rapid road shunting of freight from the south port, across the Liffey, to rail intermodal facilities in the north port vicinity.

6.4.1.6 Land Use Zoning

Map F of the Development Plan indicates the land use zoning objectives pertaining to the development site and include Z7 – Employment (Heavy), Z9 – Amenity/Open Space Lands/Green Network and Z14 - Strategic Development and Regeneration Areas (SDRAs). The Development Plan also lists uses that are permissible and non-permissible within each zone. There will be a presumption against uses not listed under the permissible or open for consideration categories in zones Z1, Z2, Z6, Z8, Z9, Z11, Z12 and Z15. Other uses will be dealt with in accordance with the overall policies and objectives in this plan. It is notable that Z7 and Z14 are not listed zones.

The Development Plan clarifies that certain small areas of land within the city are unzoned or not covered by a specific zoning objective. These lands are illustrated in white on the zoning maps accompanying the plan and usually correspond with the location of the city's roads, bridges, train lines, or other key infrastructure

installations. Development proposals in respect of these unzoned lands will be considered in accordance with the policies and objectives of the plan. Regard will also be had to their compatibility with adjacent land-uses and zonings.

Z7 – Employment (Heavy)

Land shaded in purple on Map F (shown in **Figure 6-7** are related to the land uses zoning Z7 – Employment (Heavy). 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"* (page 537).

With respect to lands zoned Z7 Employment (Heavy), 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, utility operations, and transport operation services".* (page 537)

Land uses which are permitted in principle include:

> *"Café/tearoom, chemical processing and storage, childcare facility, civic and amenity/recycling centre, cruise shipping and marine services (in port area and ancillary services), data centre, delicatessen, enterprise centre, garage (motor repair/service), general industrial uses, heavy vehicle park, household fuel depot, industry (light), office, open space, outdoor poster advertising, park and ride facility, petrol station, port-related industries and facilities, public service installation, science and technology-based industry, scrap yard, shop (local), storage depot (open), transfer station, transport depot, warehousing."* (page 538)

Land uses which are open for consideration include:

> *"Advertisement and advertising structures, amusement/leisure complex, betting office, boarding kennel, buildings for the health, safety and welfare of the public, car park, car trading, community facility, crematorium, cultural/recreational building and uses, creative and artistic enterprises and uses, media-associated uses, public house, restaurant, shop (factory shop), take-away, training centre."* (page 538)

Z9 – Amenity/Open Space Lands/Green Network

Land shaded in green on Map F (shown in **Figure 6-7**) are related to the land uses zoning Z9 – Amenity/Open Space Lands/Green Network. The zoning objective for Z9 is "*To preserve, provide and improve recreational amenity, open space and ecosystem services."* (page 539).

With respect to lands zoned Z9 – Amenity/Open Space Lands/Green Network, the Development Plan states:

> *"Z9 lands are multi-functional and central to healthy place-making, providing for amenity open space together with a range of ecosystem services. They include all amenity, open space and park lands, which can be divided into three broad categories of green infrastructure as follows: public open space; private open space; and, sports facilities.*
>
> *The provision of public open space is essential to the development of a strategic green infrastructure network…*
>
> *The role of Z9 lands in providing ecosystem services, such as improved biodiversity and ecological connectivity, nature-based surface water management, flood attenuation, river corridor restoration and climatic resilience, is also increasingly being recognised."* (pages 539 and 540)

Land uses which are permitted in principle include:

"Allotments, cemetery, club house associated with the primary Z9 objective, municipal golf course, open space, public service installation." (page 540)

Land uses which are open for consideration include:

"Boarding kennel, café/ tearoom, caravan park/camp site (holiday), car park for recreational purposes, childcare facility, civic and amenity/recycling centre, community facility, craft centre/craft shop, crematorium, cultural/recreational building and uses, garden centre/ plant nursery, golf course and clubhouse, place of public worship, restaurant, shop (local), sports facility and recreational uses, water-based recreational activities." (page 540)

Z14 – Strategic Development and Regeneration Areas

Land with a blue outline on Map F (shown in **Figure 6-7**) are related to the land uses zoning Z14 – Strategic Development and Regeneration Areas. The zoning objective for Z14 is "*To seek the social, economic and physical development and/or regeneration of an area with mixed-use, of which residential would be the predominant use."* (page 543).

With respect to lands zoned Z9 – Strategic Development and Regeneration Areas, the Development Plan states:

"These are areas where proposals for substantial, comprehensive development or redevelopment have been, or are in the process of being, prepared. A number of the Z14 areas relate to important public housing regeneration areas and others relate to former brownfield lands with capacity for significant redevelopment. A number of sites that are zoned Z14 are also identified as Strategic Development Regeneration Areas…

Z14 areas are capable of accommodating significant mixed-use development, of which residential would be the predominant use. Therefore, developments must include proposals for additional physical and social infrastructure/facilities to support same." (page 543)

Land uses which are permitted in principle include:

"Assisted living/retirement home, beauty/ grooming services, bed and breakfast, buildings for the health, safety and welfare of the public, Build To Rent residential, café/ tearoom, childcare facility, community facility, conference centre, craft centre/ craft shop, cultural/recreational building and uses, delicatessen, education, embassy office, embassy residential, enterprise centre, financial institution, guesthouse, halting site, home-based economic activity, hotel, industry (light), live-work units, media-associated uses, medical and related consultants, mobility hub, office, off-licence, off-licence (part), open space, park and ride facility, place of public worship, primary health care centre, public house, public service installation, residential, restaurant, science and technology-based industry, shop (local), shop (neighbourhood), sports facility and recreational uses, student accommodation, take-away, training centre, veterinary surgery" (page 544)

Land uses which are open for consideration include:

"Advertisement and advertising structures, betting office, car park ancillary to main use, car trading, civic and amenity/recycling centre, cultural, creative and artistic enterprises and uses, funeral home, garage (motor repair/service), garden centre/ plant nursery, hostel (tourist), internet café/call centre, laundromat, nightclub, office-based industry, outdoor poster advertising, petrol station, pigeon lofts, postal hotel/motel, shop (district), shop (factory shop), warehousing (retail/non-food)/retail park, warehousing." (page 544)

Figure 6-7: Based on Map E and F Extract
Source: Dublin City Development Plan

Consistency of the proposed development with the land use zoning objectives is further set out in **Section 7** of this Planning Report.

6.4.1.7 Built Heritage

The Development Plan highlights that there are several issues facing the city regarding built heritage, such as the need to balance competing demands between the needs of a modern city in terms of growth and the protection of the city's character. Policy BHA33 of the Plan states:

> *"Dublin Port Heritage Quarter: To support the vision of the Dublin Port Company for the Flour Mill and surrounding heritage assets of the port to deliver a new cultural heritage quarter and maritime museum for the city, that documents Dublin's rich maritime history and the social history of the Dock workers."* (page 376)

The Development Plan states that works to a protected structure must be of the highest standard and demolition of a protected structure, including structures within its curtilage is only permissible *"in exceptional circumstances"*.

Structures included on the Record of Protected Structures are identified on Map E and F of the Development as red asterisk. The Record of Protected Structures is included as Volume 4 of the Development Plan. Policies relevant to protected structures include:

> *"BHA2 Development of Protected Structures*
>
> *That development will conserve and enhance protected structures and their curtilage and will:*
>
> *(a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.*
>
> *(b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
>
> *(c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.*
>
> *(d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.*
>
> *(c) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.*

(d) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.

(e) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.

(f) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.

(g) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.

(h) Have regard to ecological considerations for example, protection of species such as bats.

BHA3 Loss of Protected Structures

That the City Council will resist the total or substantial loss of protected structures in all but exceptional circumstances." (page 349)

Those structures on the Record of Protected Structures within the application site or with close vicinity are detailed in Chapter 5, and Chapter16, Volume 2 of the EIAR.

Designated Conservation Areas include extensive groupings of buildings, streetscapes and associated open spaces and include (parts of) the medieval/walled city, the Georgian Core, the 19th and 20th century city, and the city quays, rivers and canals. The special interest/value of Conservation Areas lies in the historic and architectural interest and the design and scale of these areas. Therefore, the Development Plan includes policy to encourage that all of these areas are afforded special care in terms of development proposals. The City Council encourages development which enhances the setting and character of Conservation Areas. These areas are indicated on Maps E and F with a red horizontal hatch. Policy BHA9 relating to Conservation Areas states:

"To protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible. Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.

2. Re-instatement of missing architectural detail or important features.

3. Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns.

4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.

5. The repair and retention of shop and pub fronts of architectural interest.

6. Retention of buildings and features that contribute to the overall character and integrity of the Conservation Area.

7. The return of buildings to residential use. Changes of use will be acceptable where in compliance with the zoning objectives and where they make a positive contribution to the character, function and appearance of the Conservation Area and its setting. The Council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications, and will promote compatible uses which ensure future long-term viability." (page 358)

Those Conservation Areas relevant to the 3FM Project are Pigeon House precinct and the sea flanked Great South Wall to the east. The mitigation measures proposed in relation to works proposed to create a ship turning circle to the north of the Pigeon House precinct are detailed in Chapter 5 and Chapter 16, Volume 2 of the EIAR.

The Development Plan supports industrial heritage through advocating for reuse in an appropriate fashion, such as for cultural purposes. Policy BHA16 states:

"To have regard to the city's industrial heritage and Dublin City Industrial Heritage Record (DCIHR) in the preparation of Local Area Plans and the assessment of planning applications. To review the DCHIR in accordance with Ministerial Recommendations arising from the National Inventory of Architectural Heritage (NIAH) survey of Dublin City." (page 362)

The Dublin City Industrial Heritage Record (DCIHR) survey makes recommendations for sites to be added to the list of protected structures in the life of the Development Plan. A complete list of those assets on the DCIHR relevant to the 3FM Project is included Chapter 16, Volume 2 of the EIAR.

Record of Monuments and Places (RMP) as Established under Section 12 of the National Monuments (Amendment) Act 1994 are indicated on Maps E and F as a dashed grey line and castle symbol. Policy BHA26 Archaeological Heritage states:

"1. To protect and preserve Monuments and Places listed on the statutory Record of Monuments and Places (RMP) as established under Section 12 of the National Monuments (Amendment) Act 1994 which have been identified in the Record of Monuments and Places and the Historic Environment Viewer (www.archaeology.ie) and all wrecks over 100 years old including those in the Shipwreck Inventory of Ireland.

2. To protect archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed, by way of re-use of standing buildings, the construction of light buildings, low impact foundation design, or the omission of basements (except in exceptional circumstances) in the Monuments and Places listed on the statutory Record of Monuments and Places (RMP) as established under Section 12 of the National Monuments (Amendment) Act 1994.

3. To seek the preservation in situ (or where this is not possible or appropriate, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places; all wrecks and associated objects over 100 years old and of previously unknown sites, features and objects of archaeological interest that become revealed through development activity. In respect of decision making on development proposals affecting sites listed in the Record of Monuments and Places, the council will have regard to the advice and/or recommendations of the Department of Housing, Heritage and Local Government.

4. Development proposals within the Record of Monuments and Places (RMP) as established under Section 12 of the National Monuments (Amendment) Act 1994, notification of sites over 0.5 hectares size with potential underwater impacts and of sites listed in the Dublin City Industrial Heritage Record, will be subject to consultation with the City Archaeologist and archaeological assessment prior to a planning application being lodged.

5. To preserve known burial grounds and disused historic graveyards. Where disturbance of ancient or historic human remains is unavoidable, they will be excavated according to best archaeological practice and reburied or permanently curated.

6. Preserve the character, setting, and amenity of upstanding and below ground town wall defences.

7. Development proposals in marine, lacustrine and riverine environments and areas of reclaimed land, shall have regard to the Shipwreck Inventory maintained by the Department of Housing, Local Government and Heritage and be subject to an appropriate level of archaeological assessment.

8. To have regard to national policy documents and guidelines relating to archaeology and to best practice guidance published by the Heritage Council, the Institute of Archaeologists of Ireland and Transport Infrastructure Ireland" (page 372-373)

A complete list of those assets on the RMP relevant to the 3FM Project is included Chapter 16, Volume 2 of the EIAR.

The consideration, accommodation and integration of heritage assets has been integral to the design of the 3FM Project and is set out further in **Section 7** of the Planning Report.

6.4.1.8 COMAH (Seveso) Establishments

Map F of the Development Plan identifies the locations of 'Seveso' designated sites (see **Figure 6-7**). Appendix 8 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'. Those indicated on the Poolbeg Peninsula include:

Upper Tier

National Oil Reserves Agency Ltd./ NORA, Shellybanks Road, Ringsend, Dublin 4 (300m from perimeter).

National Oil Reserves Agency Ltd., Poolbeg Tankfarm, Pigeon House Road, Dublin 4 (300m from perimeter).

Lower Tier

Synergen Ltd. t/a ESB Dublin Bay Power, Pigeon House Road, Ringsend, Dublin 4 (300m from perimeter).

Policy SI44 of DCC states:

> *"COMAH Establishments/SEVESO*
>
> *To have regard to the provisions of the SEVESO III Directive (2012/18/EU) relating to the control of major accident hazards involving dangerous substances and its objectives 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, COMAH establishments in accordance with Guidance on Technical Land-use Planning Advice: for planning authorities and operators of COMAH establishments (2021)."* (page 294)

Byrne Ó'Cléirigh Consulting Engineers conducted a COMAH land use planning assessment for the 3FM 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.

6.4.1.9 Development Management Standards

The development management guidelines specific to Dublin Port outline a number of considerations with which the planning authority examine during the assessment of proposals within Dublin Port, and include:

- *"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 appropriate landscaping, finishes, signage, boundary treatments and site layout where development adjoins residential and commercial uses"* (page 650)

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

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 DCC 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.

The Development Plan strongly supports the works proposed within the 3FM Project, widely across many different aspects. Broadly, the Development Plan supports the activities in and the development of Dublin Port, as outlined in policy SC7 and CEE35. The proposed development will see the consolidation of port-related activities, generally within the existing envelope of port lands.

SMT30 directly supports the provision of the SPAR, which is a key element of the 3FM Project. The SPAR will allow the south port lands to be directly serviced by the Dublin Tunnel, diverting HGV traffic away from the Tom Clarke/East Link Bridge. The SPAR will also have sufficient width to accommodate a potential future extension of the LUAS light rail system to Poolbeg, which supports objective SMT22. The SPAR further supports objectives SMT17, SMT19 and SMT08, all of which encourage modal shift towards active travel.

DPC has embraced policies set out in the Development Plan with respect to its development of port lands and in this regard the proposed development is both plan and environment-led. The proposed 3FM Project through mitigation-by-design endeavours to ensure environment effects are minimised by its implementation and operation, this approach has been successfully borne out through the ABR Project and the MP2 Project.

As demonstrated in the documents submitted with the application the 3FM Project is wholly consistent with these policies and objectives.

6.4.2 North Lotts and Grand Canal SDZ Planning Scheme

The North Lotts and Grand Canal SDZ Planning Scheme was approved by the Board on 16th May 2014 and includes lands adjacent to Dublin Port to the west. The proximity of Dublin Port to the Planning Scheme lands 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."* (page 44)
>
> *"PR12 To support the provision of a suitable terminal for cruise liners and other passenger vessels with Dublin Port".* (page 154)

The proposed development of the 3FM Project has been designed to enable the port to accommodate larger ships and substantially increase its capacity through the provision of berths for various transport modes. The proposed development is consistent with the polices set out within the Planning Scheme.

6.4.3 Poolbeg West SDZ Planning Scheme

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.

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".*

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

The Planning Scheme for the SDZ, including modifications was approved by the Board on 9th April 2019 after appeal on the original adoption of the scheme.

The Poolbeg West Planning Scheme lands are south of the Liffey. Approximately half of the SDZ lands are owned by DPC.

Objective EC3 of the Planning Scheme states:

> *"To protect the role of Dublin Port as a nationally important strategic asset of the State, and to provide for future sustainable growth of the port within the SDZ in line with economic recovery, and in tandem with investment in transport infrastructure as needed". (page 35)*

The Planning Scheme is centred on key "*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'".* (page 8)

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"* (page 21)

"*Connect*" is another theme within the planning scheme, which highlights the role the SDZ will play in connecting the site to the rest of the city by means of attractive transport alternatives to private cars, such as walking, cycling and public transport.

The Planning Scheme supports the Southern Port Access Route (SPAR) 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"* (page 28)

Public transport and active travel solutions such as MV5 seek *"the upgrading of roads and junctions in the immediate vicinity of the SDZ to accommodate improved public transport priority and active modes"*. (page 45). This is further supported by MV1, MV2, MV9 and MV10 which aim:

> *"To promote a high level of use of sustainable forms of transport including walking, cycling and public transport use having regard to the City Development Plan and national level policies."*
>
> *"To provide improved public transport services to the area including a core bus link to the city centre via the proposed Dodder Bridge, enhanced/extended bus services along existing routes, and in the*

longer term, to provide for delivery of Luas to Poolbeg as part of the planned Red Line extension under the National Transport Authority Strategy 2016–2035"

"To seek the upgrading of roads and junctions in the immediate vicinity of the SDZ to accommodate improved public transport priority and active modes. These works will include new signalised junctions at the Sean Moore Road/ South Bank Road Roundabout, at the Beach Road/ Sean Moore Road junction. A new pedestrian and cycle link across the River Liffey will also be prioritised, either by widening/enhancing the existing bridge or by providing a new parallel structure to accommodate walking and cycling.

"To provide the cycle routes (including Coastal Greenway) indicated in Figure 6.2."

"To protect space for a future Luas line stop within the SDZ." (page 45)

The role and function of Dublin Port is very clearly recognised, and its development facilitated, in the Planning Scheme. Lands owned by DPC are included within the boundary of the SDZ, largely within Blocks B1 and B2. The Planning Scheme outlines an indicative phasing of development for the infrastructural requirements to realise the scheme. This phasing includes acoustic protection at Pigeon House Road, replacement of Lo-Lo[36] operations with Ro-Ro in B1, and provision of the SPAR. These are supported by the objective LP5 which states:

*"Future expansion and development of port/industrial/utility-type industry within Blocks B1 and B2 ([**Figure 6-8**]) shall be in compliance with Phasing Area B, to ensure that the appropriate infrastructure to serve the port and related uses is delivered when needed, and that longer-term strategic infrastructure can be provided."* (page 69)

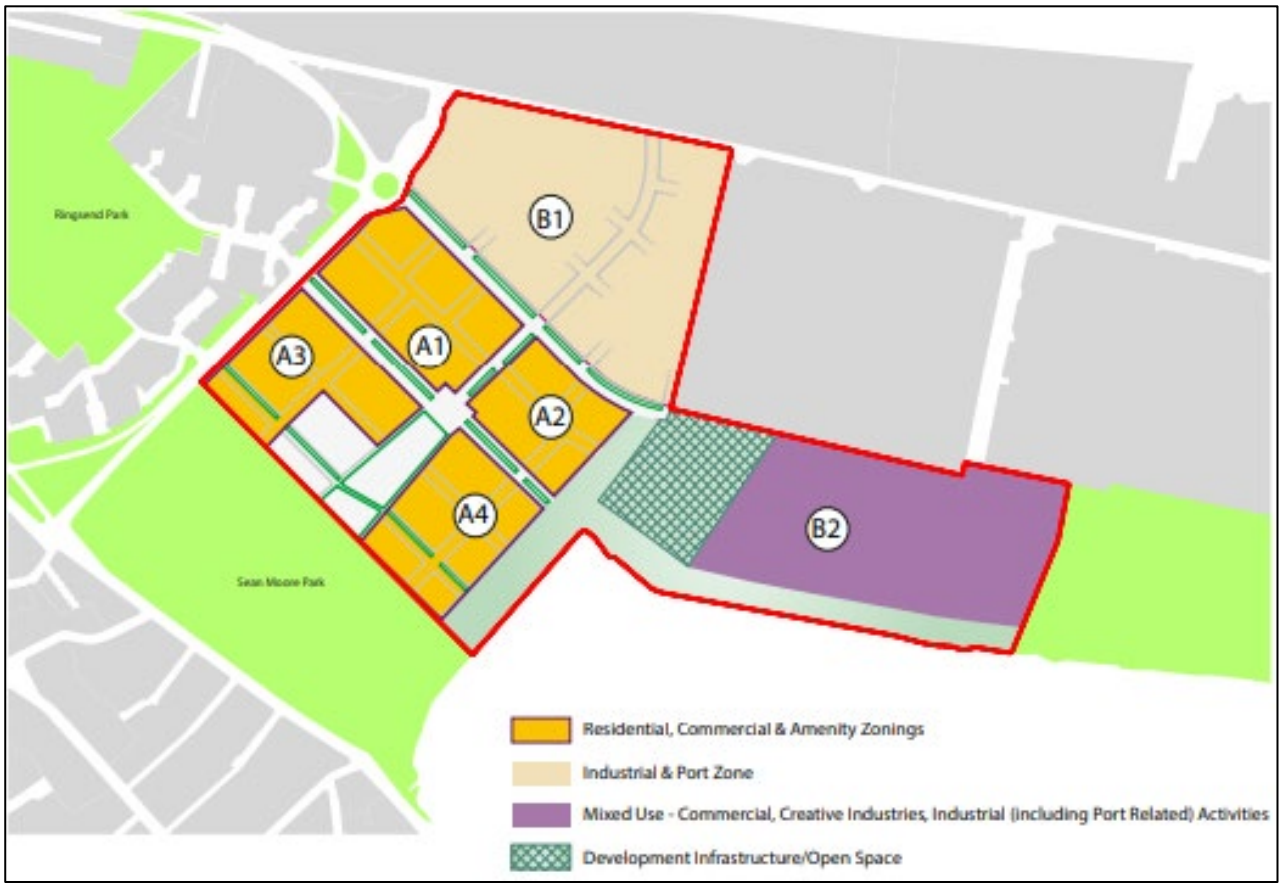

Figure 6-8: Extract of Fig 9.2
Source: Poolbeg West Planning Scheme April 2019

[36] Load-On Load-Off

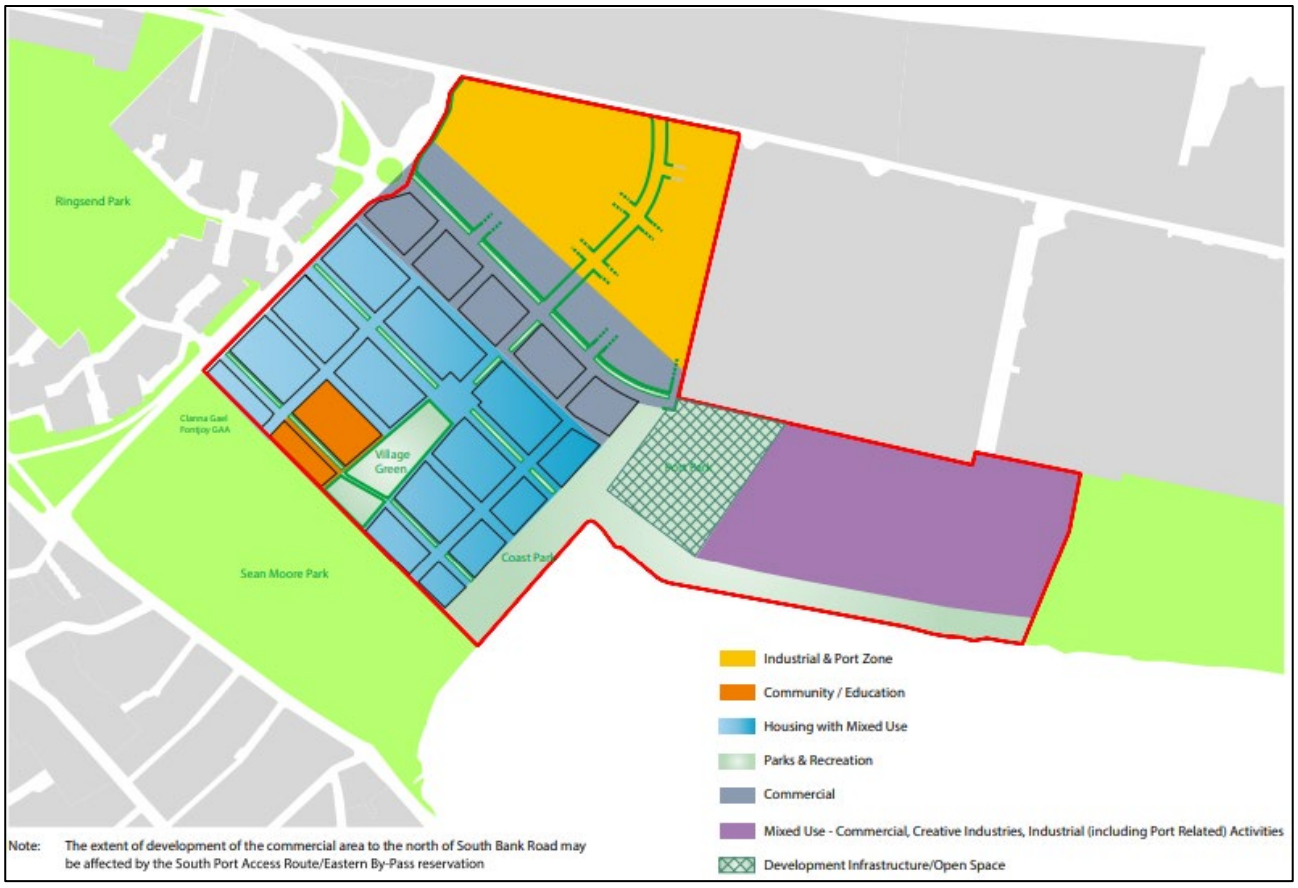

Figure 6-9: Extract of Fig 9.1
Source: Poolbeg West Planning Scheme April 2019

The land use for the areas within the SDZ are stipulated by the planning scheme, and any development within the SDZ, including portions of the subject site, must comply with the land use designations, as illustrated in **Figure 6-9**.

The manner in which the proposed development algins with the Planning Scheme is set out in **Section 7** of this Planning Report.

6.4.4 Dublin Port Masterplan 2040

The Dublin Port Masterplan 2040 is a key document guiding future development within the port up to 2040. The Masterplan is a non-statutory plan which has been framed within the context of EU, national, regional and local development plan policies and is explicitly endorsed (or is expressly recognised) in the NPP, NPF, NMPF, NDP, RSES for the Eastern and Midland Region, Dublin City Development Plan 2022-2028, North Lotts and Grand Canal Dock Planning Scheme and Poolbeg West Planning Scheme.

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).

The Masterplan 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"* (page 14)

Since the Masterplan was published in 2012 Dublin Port has experienced particularly high rates of trading growth and traffic growth with volumes of traffic increasing by 30.1% in the five years to 2017. In light of the high level of growth a review of the Masterplan took place in 2017-2018. The review concluded that:

- *An eastern expansion of Dublin Port into Dublin Bay is no longer viable and is not being pursued as an option.*
- *To meet anticipated capacity requirements Dublin Port needs to be developed on the basis of an average annual volume growth of 3.3% over the 30 years from 2010 to 2040 rather than the 2.5% originally assumed in 2012.*

The Dublin Port Masterplan 2040, reviewed 2018, published in July 2018, sets out options for the development of Dublin Port which will meet these requirements and objectives. These options are shown in **Figure 6-10**.

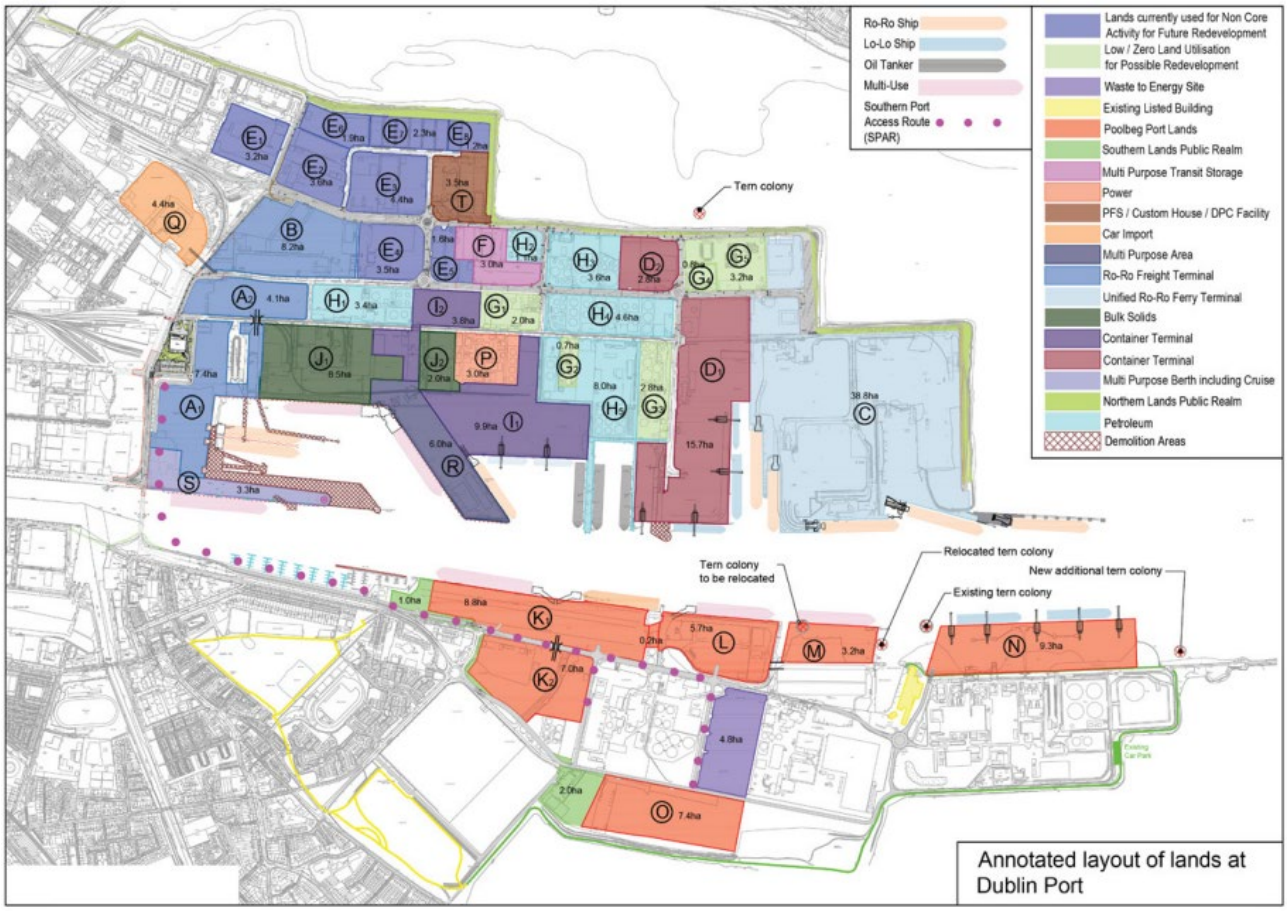

Figure 6-10: Dublin Port Masterplan 2040 Map Extract
Source: Dublin Port Masterplan 2040 Reviewed 2018

The 3FM Project subject site generally includes the Southern Port Access Route, a large part of Area K: Ro-Ro Terminal, a large part of Area L: Cargo Handling, Area N: Deepwater Lo-Lo Terminal, Area O: Cargo Handling, north of Area M, Southern Lands Public Realm, the SPAR and road connections between each Area.

6.4.4.1 Area K: Ro-Ro Terminal

Currently the lands at Area K are used for Lo-Lo container operations. This sees unitized containers unloaded from vessels using cranes, and either loaded onto HGVs for onward travel, or moved to temporary storage.

The identified infrastructure development option for Area K: Ro-Ro Terminal is:

"It is envisaged that the existing terminal will be redeveloped as a Ro-Ro freight terminal and the existing Lo-Lo container terminal will be relocated." (page 50)

6.4.4.2 Area L: Cargo Handling for Lo-Lo Terminal

Currently the lands at Area L supports a range of bulk commodities including petroleum coke imports; cement and cement raw materials; and scrap metal exports.

The identified infrastructure development option for Area L is:

"All are businesses with low growth potential and, in the case of petroleum coke, with a future life likely shorter than the duration of the Masterplan. Over the remaining period of the Masterplan, Dublin Port will consider any opportunities that may arise to redevelop these lands for more intensive cargo handling activities." (page 50)

6.4.4.3 Area N: Deepwater Lo-Lo Terminal

Using Area K for Ro-Ro operations would result in a loss of Lo-Lo capacity in the port, which is an important aspect of port operations. Lo-Lo replacement capacity will therefore be required elsewhere in the port.

As a result, the identified infrastructure development option for Area N: Deepwater Lo-Lo Terminal states:

"It is proposed, therefore, that a new deepwater Lo-Lo container terminal be developed by the creation of deepwater berths along the River Liffey in front of the ESB's Poolbeg Power Station. In doing this, provision will be made to provide for the power station's cooling water intake and outfall and also for NORA's petroleum loading and offloading requirements. The removal of existing buildings on the terminal to provide additional transit storage capacity for containers" (page 50)

6.4.4.4 Area O: Cargo Handling

Area O has been identified as an area suitable to play a supporting role for other functions of the port. Currently the lands are used for miscellaneous yard functions.

The identified infrastructure development option for Area O: Cargo Handling states:

"These lands will be redeveloped to support cargo handling activities at sites K, L, M and N. The primary planned use of these lands is to provide, in conjunction with Area N, sufficient land capacity for the throughput of the new 600 metre long container terminal quay wall in Area N.

Provision may also have to be made in this area for infrastructure (pipes and a peak boiler) required as a part of DCC's Dublin District Heating Scheme" (page 50)

It is also noted in the Master Plan that a portion of Area O may be used for infrastructure as required for the Dublin District Heating Scheme.

6.4.4.5 Southern Lands Public Realm and the SPAR

Additionally, some of the subject lands are zoned in the Masterplan as 'Southern Lands Public Realm', and there is provision of a route for the SPAR.

The 3FM Project is the vehicle by which a number of the critical elements envisaged for each of the areas set out in the Masterplan will be delivered.

7 PLANNING APPRAISAL

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:

- Need for the Proposed Development
- Nature and Scope of the Proposed Development
- Sustainable Nature of the Proposed Development
- Principle of the Development
- Consideration of Alternatives
- Other Consents
- Community Gain
- Duration of Permission
- Environmental Impact Assessment Report (EIAR)
- Natura Impact Statement (NIS).

7.1 Need for the Proposed Development

In order to maintain national competitiveness, operational efficiencies and perform its designated role and function, DPC needs to plan for the provision of infrastructure to cater for increased volumes of goods handled and larger ships at Dublin Port.

The Irish Ports Capacity Study suggests that any failure to maintain sufficient port capacity could have a major negative impact on the national economy, starving it of the materials needed to continue strong growth. The study further expressly states that Ireland should have sufficient port capacity for all cargo modes if planned developments are put in place in time. The Issues Paper published commencing the review of the NPP references the Irish Ports Capacity Study when analysing port capacity and specifically note that a failure to proceed with currently proposed port infrastructure projects will pose serious risks to Ireland's national economy.

The 3FM Project is just such a planned development. It, like the permitted ABR Project and MP2 Project, seeks to deal with the current demand and operational requirements while also future-proofing Dublin Port by facilitating additional capacity through deepening berthing pockets to cater for larger vessels, longer berthing infrastructure to accommodate longer vessels to facilitate throughput, manoeuvring areas for the efficient entry and exit of vessels from the port and fairway and, yards and quayside infrastructure, to enable goods being handled to be staged and dispatched efficiently. A key element of the project, the SPAR, is specifically referenced in the NPF and supported at all levels of the national policy hierarchy.

The estimated average annual growth rate to 2040 is 3.3%. To facilitate this growth, and as set out in the revised Masterplan 2040, the port is being redeveloped and will be able to cater for volumes of up to 73.8m gross tonnes per annum[37], 90% of which is accounted for by the 3.0m trailers and containers in the unitised modes of Ro-Ro and Lo-Lo. With the 3FM Project in place 684,000 units, or 22.8% of all units will be facilitated in Areas K, L, O and N as identified in the Masterplan, refer to **Figure 3-2** of this Planning Report.

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 in 2010 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.

[37] This equates to the Masterplan 2040 target of 77.2m tonnes, but reduced by 3.4m tonnes to allow for the assumed permanent loss of 7ha of freight yards to State Brexit facilities. There are currently 14ha of land in use for such facilities, and it has been assumed that 50% of these lands will ultimately be returned for use as transit freight storage yards.

- Lo-Lo is expected to grow from 6.3m gross tonnes per annum in 2010 to 15.3m gross tonnes per annum by 2040. This equates to growth 3.0% per annum.
- 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.

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

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.
- Recovering lands that are not being used for critical port activity and re-use for such activity.
- 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.
- Providing a direct link for the southern port estate to the M50/Dublin Tunnel.

In order to ensure this capacity can be met, the Masterplan requires 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 process is being implemented through the development of Dublin Inland Port located 14km from Dublin Port off the M2, with direct access to the M50 and to Dublin Port via the Dublin Tunnel.*
- 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 which has commenced construction.*
- Development of the port's container terminals, deeper and longer berths and deeper river channel to maximise throughput capacities.
  - *Forms part of the ABR Project and MP2 Project both projects are under construction.*
- Development of port's container terminals on the Poolbeg Peninsula to increase the port's Ro-Ro and Lo-Lo capacity utilising Port owned lands for port-related purposes.
  - *As proposed by the 3FM Project.*

7.2 Nature and Scope of the Proposed Development

The Dublin Port Masterplan 2040 assumes that, by 2040, the number of trailers and containers that will pass through Dublin Port in the Ro-Ro and Lo-Lo modes will be 3.2m. Adjusting for the loss of 7ha of land to Brexit facilities in the North Port, this figure reduces to 3.0m.

The 3FM Project envisages the development of Dublin Port lands on the Poolbeg Peninsula to, firstly, provide a total annual capacity for 684,000 unit loads (trailers and containers[38]) and, secondly, to provide infrastructure and facilities to support the objective to re-integrate Dublin Port with Dublin City.

The 684,000 units (trailers and containers) or 22% of all units will be provided by constructing two terminals, on Areas K, L, N and O as identified in Dublin Port Masterplan 2040, accommodating:

- **Ro-Ro Terminal - Areas K and O:** This terminal will accommodate 360,000 units. Area K currently operates as a Lo-Lo Terminal and will be refunctioned as a Ro-Ro Terminal. Area K will be supported by trailer parking at Area O.

- **Lo-Lo Terminal - Area N and L:** This terminal will accommodate 324,000 units. Area K currently operates as a Lo-Lo Terminal. The Lo-Lo Terminal will be transferred to a new Lo-Lo Terminal at Area N. Area N on its own could not provide the land necessary to service the berth capacity, and as a consequence, a significant portion of Area L is proposed as a transit container storage area.

With respect to the above the 3FM Project will:

- Maximise the potential of the existing port infrastructure in the context of the Dublin Port Masterplan 2040, through the refunctioning of the existing Lo-Lo Container Terminal (Masterplan Area K) and Bulk Cargo sites (Masterplan Area L) and compounds yards ((Masterplan Area O);
- Create additional berthage along the River Liffey (Masterplan Area N) to balance the quayside requirements with landside availability;
- Provide sufficient water depth at each berth for the design vessels proposed;
- Provide a turning circle to accommodate the manoeuvring of vessels;
- Provide for the operational requirements of NORA, ESB, Uisce Éireann, Synergen, Encyclis and DCC;
- Minimise the impact of construction on the ongoing operation of existing berths;
- Minimise the impact of proposed marine infrastructure on existing port navigation;
- Take full cognisance of environmental constraints, and where feasible provide mitigation through engineering design;
- Ensure that the integrity and stability of the Great South Wall is maintained; and
- Design quay structures for a working life of 100 years.

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

- Construction of a new public road and bridge called the Southern Port Access Route (SPAR) to link the South Port Estate with the North Port Estate and the M50 Tunnel. This route, which it is intended will be restricted to commercial traffic, will connect into the internal port road network in the north port at Alexandra Road and run along a north south axis, east of East Wall Road, over the River Liffey east of Tom Clarke Bridge and turning east, north of R131 until moving south of the Poolbeg Yacht Club onto Pigeon House Road and through the existing Lo-Lo container terminal operated by MTL before joining the existing road network at Whitebank Road.
- Relocation of the Lo-Lo container terminal operated by MTL and its expansion onto a new open-piled wharf structure constructed over the River Liffey north of the Poolbeg Generating Station and NORA at Berth 48 with access from Pigeon House Road. This terminal will be supported through the reuse of a waterside yard associated with Berths 46-47 at South Bank Quay. The area totalling 13.7ha identified as Area N and Area L in the Dublin Port Masterplan will be developed to provide additional port capacity and provide a Lo-Lo container terminal with an annual capacity of 324,000 units.
- Conversion of the existing Lo-Lo container terminal currently operated by MTL at Berths 42 to 45 to become a new Ro-Ro freight terminal which will be supported by an existing hardstanding area to the

[38] **Containers** come in standard lengths of 20', 40' and 45'. The TEU – or twenty foot equivalent unit – provides a common unit to allow measures of capacity to be aggregated when considering storage volumes in container terminals or the carrying capacities of container ships. The conversion factor between units and TEU used in Dublin Port is 1.7.

Trailers, on the other hand, are, for the most part, 13.6 metres long (equivalent to 45').

south of Dublin Waste to Energy facility and South Bank Road via an extension to South Bank Road to link with Shellybanks Road. The area totalling 18.2ha identified as Area K1, Area K2 and Area O in the Dublin Port Masterplan will be developed to provide additional port capacity and provide a Ro-Ro terminal with an annual capacity of 360,000 units.

- Demolition of the sludge jetty adjacent to Berth 47A and provision of a 325m diameter ship turning circle in the river channel and dredged to a standard depth of -10.0m CD north of Pigeon House Harbour and Area M as identified in the Dublin Port Masterplan to facilitate larger vessel manoeuvres from river berths.
- Relocation of Port Operations from the North Port Estate and housed in an architecturally designed building next to a new Maritime Village Campus and associated berthage replacing and enhancing existing rowing and sailing clubs' facilities on the peninsula with the construction of a Maritime Village at Pigeon House Road and adjacent to Berth 41.
- Provision of approximately 5ha of the port estate to be brought forward to provide new public realm and open spaces largely contained within a Port Park and Wildflower Meadow, a Coastal Park, and an extension to the Irishtown Nature Park. In addition, c.7.0km of active travel path (cycle, pedestrian, wheelers, etc.) and c.4.9km of new or upgraded footway and heritage interpretations and interventions meeting the Dublin Port Masterplan objective to integrate Dublin Port with Dublin City.

The 3FM Project represents the final strategic project required to complete development in Poolbeg Peninsula at Areas K, L, N, O, to the north of Area M, Southern Public Realm and the SPAR as identified in the Masterplan while also contributing to key objectives of reintegrating the Port with the City through public realm proposals, provision of recreational, sports and leisure facilities and installation of active travel infrastructure.

7.2.1 Impact of New Facilities on Ro-Ro and Lo-Lo Throughput

The total envisaged increase in Dublin Port's capacity over the 30 years to 2040 is an increase of 44.9m gross tonnes per annum from 28.9m gross tonnes per annum in 2010 to 73.8m per annum by 2040, 90% of which is accounted for by the 3.0m trailers and containers in the unitised modes of Ro-Ro and Lo-Lo. As set out in the Project Rationale included in Chapter 2, Volume 2 of the EIAR, the 3FM Project will facilitate Ro-Ro capacity throughput of 360,000 units in Areas K and O and Lo-Lo capacity throughput of 324,000 units in Areas L and N. By 2040, therefore, the 3FM Project will specifically provide facilities to enable 22.8% of the unit capacity required in 2040.

7.2.2 Terminal Access

In order to improve efficiency and optimise yard areas associated with container terminals it is necessary to ensure that there is no public access leaving terminals areas free for port operations. Access to the restricted area can only be gained through the check-in areas or from disembarking vessels visiting the port. This area is regulated by the Maritime Safety Directorate, 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 2.9m fence are illustrated in the drawings included as part of the application documentation. This fencing has been permitted on other relevant sites within the port by DCC and the Board.

7.2.3 Function & Delivery of the Southern Port Access Route (SPAR)

Dublin Tunnel provides the single access point for Dublin Port to the national motorway network. As previously outlined, the NDP identifies the strengthening of access routes to Ireland's ports as a Government priority. The SPAR is supported in the NPF, NDP, RSES, GDA Transport Strategy and the Development Plan. Importantly, the NDP also specifically references the 3FM Project (of which the SPAR is a core component) among the developments to be progressed over the next ten years. The 3FM Project is critically dependent on the delivery of the SPAR and therefore it is included as an integral component of the proposed development. Failure to progress the 3FM Project would create a national port capacity deficit.

The GDA Transport Strategy confirms that it is not intended to progress with the Eastern Bypass scheme. The strategy additionally states that it is a requirement of the NTA, TII and other agencies to facilitate the efficient and sustainable operations of Dublin Port. It recognises that one of the key issues relating to the port is the difficulty in accessing the South Port Estate from the national road network, in particular the connection to the Dublin Tunnel. With this in mind, the NTA proposes the delivery of the SPAR as *"a new public road extending from the national road network at the M50 Dublin Tunnel to serve the south port lands and adjoining areas"* (page173). Certainty on the timely delivery of the SPAR is fundamental to DPC securing planning permission for the 3FM Project. In this regard, and with support of NTA, TII and DCC, DPC seeks consent for the SPAR as an integral part of the project.

This SPAR will handle all commercial port-related traffic from the Dublin Tunnel to the port lands, and all traffic from industrial / utility operators on the Poolbeg Peninsula thereby removing port and utility traffic from public roads. This route can significantly reduce traffic on East Wall Road, on the existing Tom Clarke Bridge and on Pigeon House Road. It is also highlighted that the bridge structure has been designed so that it can be modified in the future to accommodate a LUAS provision, should it be decided that the preferred routing of the LUAS go via this route. In the shorter term however it will be capable of being used by emergency services, bus based public transport and will include active travel pathways thereby expanding and connecting into pedestrian and cycle networks and as such will assist in encouraging a modal shift to more sustainable forms of transport.

7.2.4 Rail Connectivity

Dublin Port is the country's largest port. It is also one of only two major ports which have an operational rail connection for freight. This connection facilitates container traffic to and from Ballina and lead and zinc ore concentrates from Tara Mines. The relative success of the container rail service from Dublin Port to Ballina demonstrates that there is some potential for rail freight to make some contribution to the modal shift of port-related freight movements away from HGVs. However, rail freight has accounted for less than one per cent of total port traffic and, while there is some potential to increase this share, DPC believes that this potential is small. The major impediment to any increase in rail freight is largely due to the absence of appropriate infrastructure and connectivity on the Iarnród Éireann rail network at Dublin Port and nationally. Delivering this infrastructure will require a significant investment by Iarnród Éireann.

However, it is a clear strategic policy objective of DPC to grow rail freight at the port as stated in the Dublin Port Masterplan 2040. The Masterplan also expressly has a key strategic objective to maximise the use of rail transport for goods to and from the port. DPC remains committed to the development of rail freight in Dublin Port and in furtherance of this objective has engaged extensively with Irish Rail/Iarnród Éireann on exploring such potential.

The rail spur that services Dublin Port offers potential for the increased movement of containers and bulk solids by rail. By its nature, rail freight operations require large land areas in which to marshal and operate trains. However, there is no land area available in Dublin Port for such operations. It is the norm in ports throughout Europe that rail yards are situated some distance away from quay walls. This is for reasons of safety and operational efficiency and because intermodal rail facilities require very large land areas. This can be clearly seen in ports such as Felixstowe, London Gateway, Gothenburg, Trieste and Koper.

DPC has proposed to Iarnród Éireann the linking of Dublin Port to its North Wall Freight Depot by way of a road bridge across East Wall Road. This would provide connectivity to Dublin Port's container terminals in a similar manner to the exemplar European ports listed above. It is important to emphasise that, until a facility is developed potentially at Iarnród Éireann's North Wall Freight Depot there can be no significant increase in container rail freight in Dublin Port. Once an intermodal facility in the North Wall vicinity is provided, the SPAR will allow the 3FM Project to be fully rail enabled through rapid road shunting of freight by electric vehicles, or other low carbon sources, from the south port, across the River Liffey. Connecting the South Port Estate with the national network in this way avoids the need for a dedicated stand-alone rail crossing of the Liffey in the vicinity of the port, and therefore represents the most carbon-efficient and economical way to connect the 3FM Project and the freight landed south of the River Liffey with the rail network. In so doing, the 3FM Project will allow the totality of the Port Estate to access the national freight rail network and take advantage of the future uplift in demand for rail freight envisaged by government.

7.2.5 City Port Integration

A core objective of Masterplan 2040 is to integrate Dublin Port with Dublin City. Projects undertaken by DPC involve opening up areas of Dublin Port which were not previously accessible to the public and incorporating historic assets which have been reinvented for alternative uses but within a working port setting. This has enabled DPC to develop its distributed museum as illustrated in **Figure 7-1** which links the city directly into the heart of the working port.

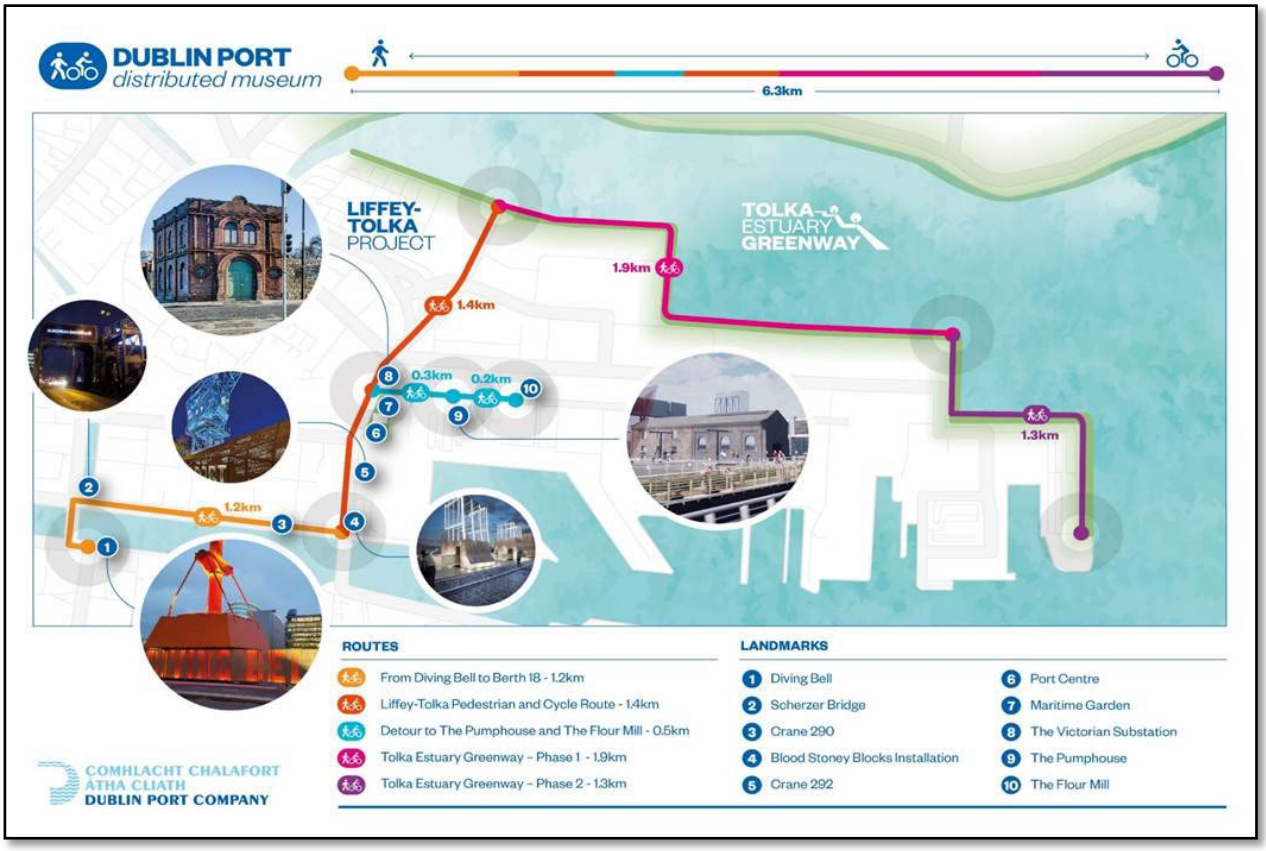

Figure 7-1: Dublin Port Distributed Museum
Source: Dublin Port Company

Proposals included as part of the 3FM Project will be in addition to those completed and others under construction such the Liffey-Tolka Project[39] and The Tolka Estuary Greenway[40]. These projects build on recent heritage related projects such as the Diving Bell on Sir John Rogerson's Quay[41] (2015), the reconfigured and publicly accessible Port Centre[42] (2021), the rehabilitated Graving Dock precinct as the Pumphouse[43] (2022) and the recently restored Substation on Alexandra Road[44] (2023). These projects testify to DPC's commitment to promote and enhance Port-City integration, as does the publication of the Dublin Port Heritage Conservation Strategy (2024), enclosed as part of the documentation supporting this application.

The 3FM Project incorporated proposals which include key heritage assets that will continue to deliver a key objective of the Dublin Port Masterplan endorsed by the Development Plan in CEE35 and reintegration of the Port with the City.

[39] Board Ref. PL29N.312692
[40] DCC Reg. Ref. 3084/16
[41] Dublin Docklands Ref. DD663
[42] DCC Reg. Ref.3452/15
[43] Board Ref. PL 29N.PA0034
[44] DCC Reg. Ref.2681/20

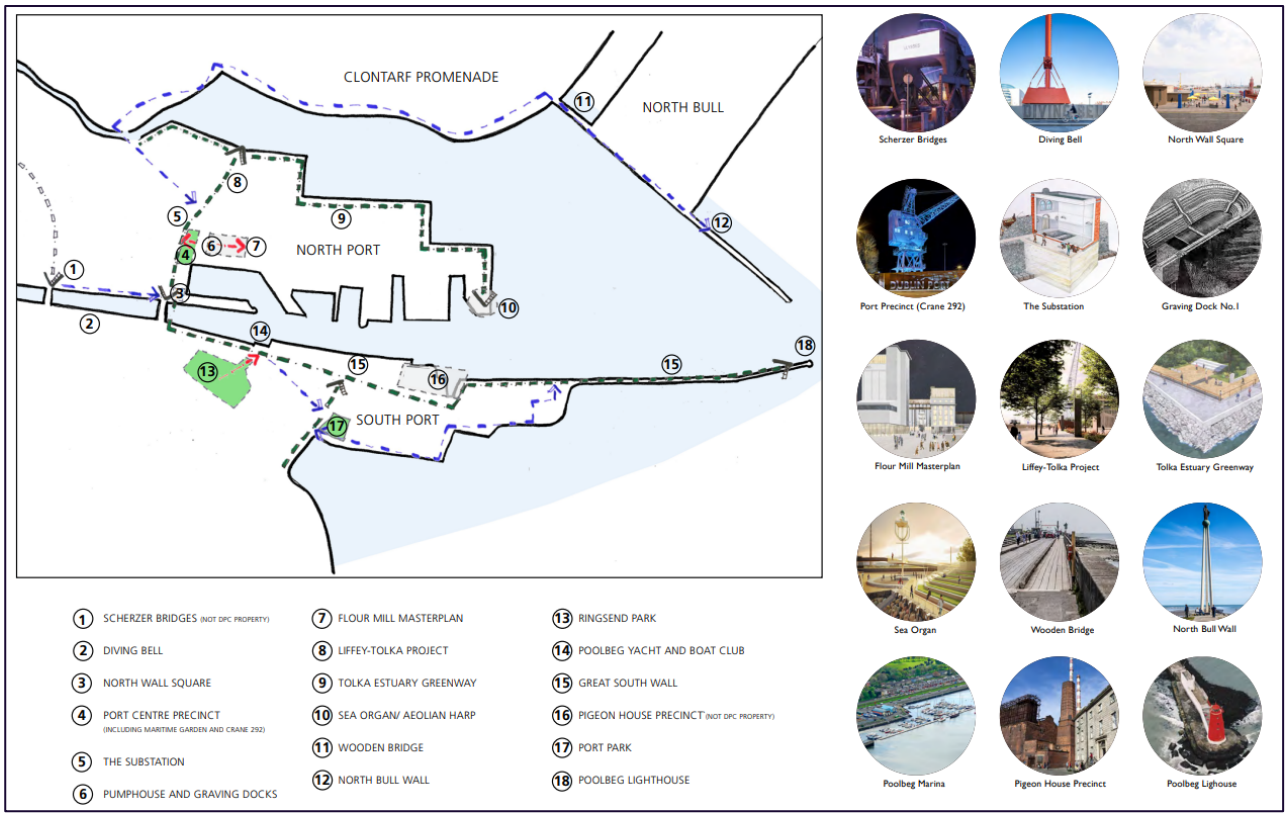

Figure 7-2: Reintegration of the Port with the City
Source: Dublin Port Heritage Conservation Strategy

With respect to the development of the port and celebration of port heritage, the existing tangible cultural assets are principally related to buildings and structures in the vicinity of the South Port Estate. Protected structures, recorded sites and features of cultural, archaeological, industrial and architectural heritage interest within the application site and the general vicinity and are identified in the desktop review undertaken as part of environmental impact assessment of the project and are described in Table 16-3 and indicated in Figures 16-1 and 16-2, Chapter 16, Volume 2 of the EIAR. Table 16-7, Chapter 16, Volume 2 of the EIAR also summarises the impacts of the 3FM Project on each asset.

The proposals incorporated into the 3FM Project which seek to further City/Port integration are set out in the paragraphs that follow.

SPAR

The SPAR will include a river crossing starting at the North Wall Quay Extension (protected structure). It is recognised that new bridges over the river and placed onto quay walls which are protected structures is not unusual. It is also recognised that the purpose of protection is to manage and control future changes to these structures so that they retain their significant historic character. The permitted ABR Project proposals included works to the North Wall Quay Extension which ensured that the new additions then required celebrated the quay's industrial heritage value. It is submitted, that as part of those proposals, a route option exercise for the Eastern Bypass was undertaken for a bridge river crossing which provided a reservation parallel to the Tom Clarke Bridge. This route was to be positioned within a reservation corridor 55m wide (refer to Chapter 4 Volume 2 of the EIAR). The agreement on the reservation was a positive planning outcome in removing uncertainty and eliminating planning blight.

The North Wall Quay Extension forms part of the operational port. Proposals required to facilitate access to southern port lands necessitate infrastructure interventions on the North Wall Quay Extension. Such proposals have considered the heritage value of the quay wall and have resulted in a proposed SPAR bridge, a contemporary manifestation of the ever-evolving Port/City relationship, while also being a catalyst for connectivity of a significant network of active travel routes.

Figure 7-3: SPAR Bridge

Source: South Port Road Opening Bridge Preliminary Design Report

Great South Wall

Initiatives are proposed as part of the 3FM Project which aim to restore the legibility and historical route of the Great South Wall (protected structure), which has become obscured over time due to various interventions related to industrial and road development in the area. As part of the 3FM Project, further impacts on the wall are required to facilitate infrastructural works. To mitigate these effects, several strategies will be employed which include a comprehensive conservation plan for repairing, restoring, and reconstructing sections of the wall, as well as proposals for an interpretation strategy and concept for the entire length of the wall. Through the use of markers, totems, and interpretive elements, the route of the wall will be highlighted and reintroduced into public awareness. Additionally, any unavoidable disturbances to the wall as part of the 3FM Project will be mitigated with a range of suggested measures such as ground surface marking, including differentiated paving surfaces, which will further emphasise the wall's historical route, seamlessly integrating with existing and proposed infrastructure. Further detail is set out in the Great South Wall Overview of Impacts, Mitigation & Interpretation Report prepared b Darmody Architects and submitted as part of the application docuemetation.

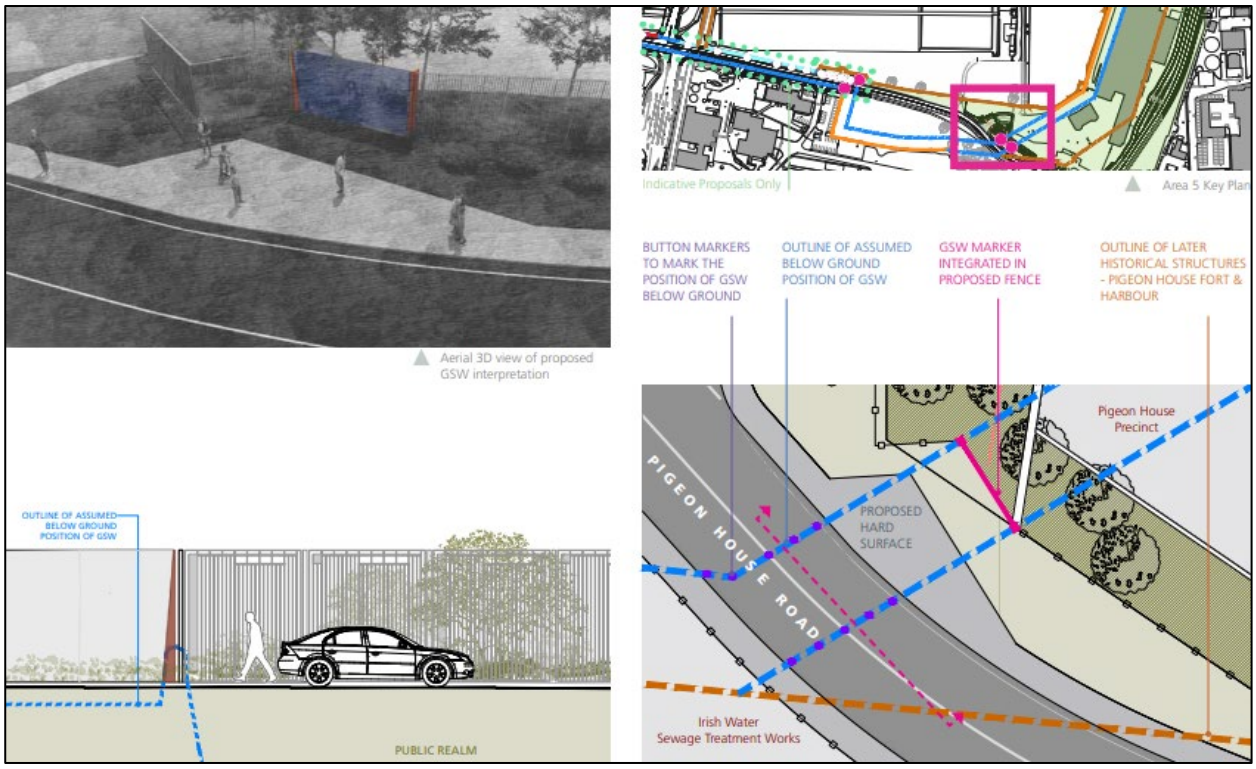

Figure 7-4: Interpretation Strategy for the Great South Wall (extract)
Source: Darmody Architects

Overall, initiatives proposed will significantly benefit the public realm and will create a vibrant and engaging environment, by blending the old with the new in a way that respects and celebrates its past.

Maritime Village

The port is currently home to a number of sporting and leisure clubs such as rowing clubs (St. Patrick's and Stella Maris), Poolbeg Yacht Club and marina and the moorings of private boat owners. The Dublin Port Masterplan commits to continuing to develop initiatives to promote leisure activities such as sailing, swimming and fishing, working with the established clubs on ways to involve more people in marine based activity.

The proposed Maritime Village will provide a new destination in the city for boating and rowing activities, building upon the already established uses that have been fostered over time by the local clubs and which form an integral part of the local community. This element of the project seeks to revitalise the area, providing improved facilities for maritime activities and a welcoming hub for the local community and visitors.

Due to the demolition of Port Operations in the North Port Estate to facilitate the development of the MP2 Project, it is proposed to relocate operations to the South Port Estate in a purpose-built facility between the Maritime Village and the Ro-Ro Container Terminal with access to Berth 41 for pilot vessels. This facility will add a further dimension to the vibrancy of the area.

Figure 7-5: Maritime Village (extract)
Source: Darmody Architects

Port Park and Wildflower Meadow, Coastal Park and extension to Irishtown Nature Park

Port Park and Wildflower Meadow, Coastal Park and extension to Irishtown Nature Park, totalling some 5.2ha, constitutes an amalgamation of currently underutilised industrial lands in a prominent location lying between the residential former Irish Glass Bottle site and port-related uses. The proposed park will include a sports pitch, public toilets, public square and urban realm treatment, a children's play tower, and a large wildflower meadow to the east. Active travel pathways will connect the park to the wider area. Amenity proposals include a leisure walk towards Irishtown Nature reserve where planting south of the berm will be provided. This corridor is designed to enhance the overall environmental opportunities, resulting with low visual impact of activities within Area O, while also ensuring that the site remains connected to the surrounding natural environment and leisure opportunities.

Figure 7-6: Port Park (extract)
Source: Darmody Architects

7.3 Sustainable Nature of the Proposed Development

The fundamental approach of the Dublin Port Masterplan to facilitating capacity in Dublin Port is to maximise the utilisation of Dublin Port's existing brownfield lands rather than seeking to reclaim significant areas of land from the foreshore or building new additional port facilities at a greenfield location. Construction of the 3FM Project is an essential step towards ensuring that Dublin Port is largely confined to its existing footprint which is based on a cornerstone of proper planning and sustainable development, namely the redevelopment of obsolete, redundant, brownfield land. Cognisant that the area provides important utility functions to the operation of the city, Poolbeg is surrounded by environmental considerations and is located close to the city centre and adjacent to other land uses. With this in mind, important aspects informing the design of the project include:

- Developing quaysides adjacent to deep water to their maximum in accordance with environmental/ licensing requirements. The 3FM Project respects this commitment and has been designed to minimise the extent of infill required to give effect to the proposals. This is evident in Area N, where the additional berth capacity is provided by way of an open pile structure, which has been selected to minimise the impact on marine life and benthic resources.
- Reducing impacts on local residential communities, whether from the perspective of potential noise, visual amenities or emissions. This can be seen in the relocation of Lo-Lo operations further east to Areas N and L and also in the revised project scope which led to Area O being changed from a storage area where containers would be stacked three units high, to a much less visually obtrusive Ro-Ro Freight Terminal where containers will not be stacked at all.
- The SPAR will make a significant positive contribution to sustainability in a number of different respects which include:
  - facilitating the free flowing movement of commercial port and utility traffic away from private roads and residential areas, reducing congestion and associated idling time.
  - carrying active travel paths for pedestrians and cyclists providing direct connections onto the Liffey-Tolka Public Realm Project on East Wall Road and providing parts of the Greater Dublin Cycle Network linkages between the north and south side of the river.
  - Facilitating public transport bus-based transport and expanding pedestrian and cycle networks which will assist in facilitating the delivery of modal shift.
  - Incorporating a bridge design which has been future-proofed to accommodate a potential LUAS crossing of the River Liffey, thereby ensuring that potential future LUAS route alignments towards Irishtown and/or the Glass Bottle Site are not compromised.
  - Whilst the construction and operation of the SPAR is not dependent upon the delivery of the rail intermodal facility, the SPAR has been designed in a sustainable manner to facilitate both the potential future development of the rail intermodal facility.
- The 3FM Project has been configured to accord with relevant objectives within the Poolbeg West Planning Scheme to provide a new public park and maintain buffers between the port and mixed use development and also provides an extension to the Irishtown Nature Reserve.
- Ensuring that other sustainability initiatives can progress and which include:
  - DCC District Heating – the design of the 3FM Project has been configured to make DPC land available for DCC to develop a District Heating facility connected to the Dublin Waste to Energy Plant. This facility will form a separate planning application by DCC.
  - Codling Wind Park (CWP) Project – the configuration of the 3FM Project has made provision for land owned by DPC to be made available to CWP for the construction of a substation for Offshore Renewable Energy which it is proposed will be brought on shore from a wind farm in the Irish Sea. This substation will form a separate application from CWP and is not part of 3FM Project.

7.4 Principle of the Development

Support and endorsement from overarching planning frameworks and national policies provide the basis upon which essential infrastructure development projects can secure the required consents. DPC recognises that any proposed development must be consistent with prevailing national and regional planning policy and the

adopted Development Plan. In the case of Dublin Port, national, regional and local policies are unambiguous in their support for the development of Dublin Port in accordance with Dublin Port's Masterplan 2040.

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 3FM Project will assist towards providing ultimate capacity for the continued growth of Dublin Port to 2040 as set out in the Masterplan.

Project Ireland 2040 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 NPP 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 RSES, metropolitan area and development plans. The NMPF recognises that all Tier 1 ports are currently engaged in significant phases of infrastructure investment in relation to their masterplans and includes objectives that safeguard the operation of ports as key actors in the economic wellbeing of the State through the provision of safe and sustainable maritime transport and the full realisation of the NPP with a view to providing adequate capacity to meet present and future demand, and to adapt to the consequences of climate change. The NDP 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 3FM Project is wholly consistent with national infrastructure policy and objectives for Dublin Port.

7.4.1 Dublin City Development Plan

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

The intent of the Development Plan is to achieve the vision for the city in a manner that is consistent with the guidance, strategies and policies at national and regional level. The core strategy set out in the Development seeks to guide the spatial direction of future development and regeneration in Dublin city in line with the principles of compact growth. Since its review in 2018 the Dublin Port Masterplan is underpinned by this development model seeking to optimise the lands controlled by the port, the DPC's Franchise Policy has assisted in achieving this strategy. Like the ABR Project and MP2 Project, the third and final masterplan project, the 3FM Project, will greatly contribute towards DPC achieving the capacity to match growth throughput by 2040 largely on existing port lands.

As Ireland's Capital City attracting international investment[45] and Global Gateway[46], Dublin, is 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 continue to prepare for increases in ship sizes and the changing operational preferences of the providers of shipping services. In order to achieve this Dublin Port must re-configure port operations to best meet future capacity requirements aligning with the principles of compact growth through the optimising underutilised land. Existing infrastructure is approaching the end of its useful life and needs to be renewed and/or replaced to cater for advances in cargo handling and shipping practices.

In this regard the proposed development will ensure efficient use of zoned lands. The implementation of the 3FM Project will enable 684,000 units, or 22.8% of all units to be handled in Dublin Port over 30 years to 2040, as set out in the Dublin Port Masterplan. 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

[45] NPF page 36

[46] RSES page 35

national economy thereby enabling the City to further compete at an international level in Europe and worldwide.

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

The land use zoning objectives on which the proposed project is located are mainly Z7 and Z14 with a small portion included within Z9. **Figure 7-7** illustrates the application boundary in the context of the land use zoning objectives of the plan.

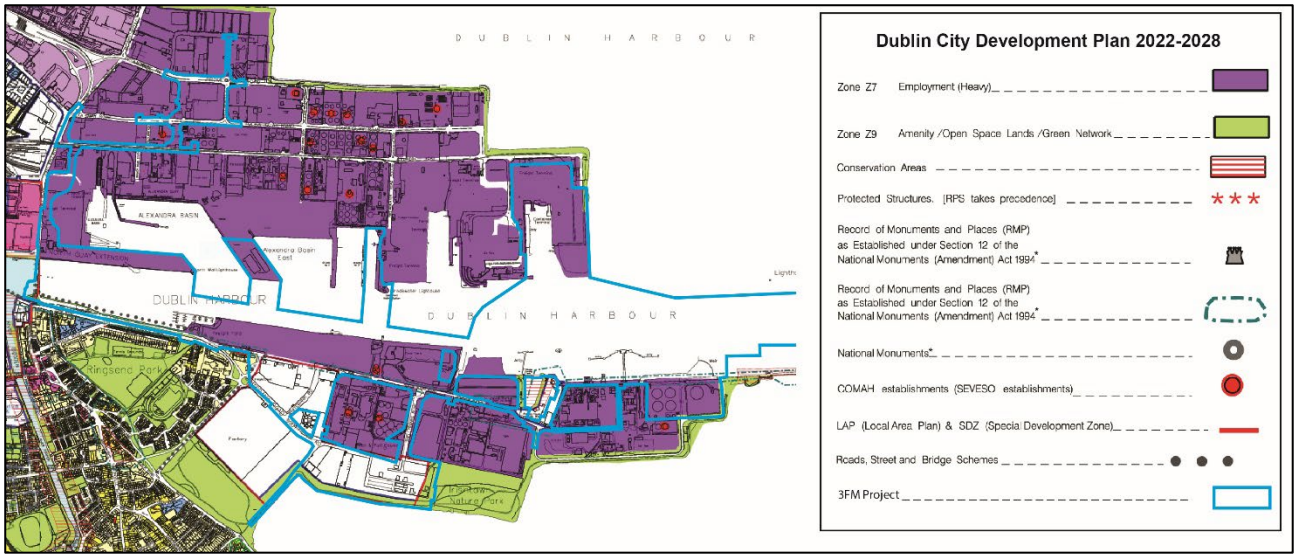

Figure 7-7: Dublin City Development Plan Map E and F
Source: Dublin City Development Plan

Zone Z7

Within the Z7 zoning *"port-related industries and facilities", "Cruise Shipping and Marine Services (in Port Area and Ancillary Services)", "industrial (light)", "café/tearoom,* and *"open space"* uses are permitted in principle. Uses open for consideration within this zone include *"cultural/recreational building and uses", "community facility", "public house", "restaurant"* and *"training centre"*.

The Maritime Village, the north part of the Ro-Ro Container Terminal (at Masterplan Area K), the Lo-Lo Container Yard (at Masterplan Area L) and the part of the Lo-Lo Container Yard (at Masterplan Area N) are located within lands zoned Z7 and are listed as compliant uses within this zone.

It is submitted that the proposed development and redevelopment of the port functions, recreational buildings and uses, and open spaces align with the uses that are listed as permitted in principle and open for consideration within the land use zoning, Z7.

The Development Plan provides that in certain zones there is a presumption against uses not listed under the permissible or open for consideration categories however the Z7 zoning is excluded from this category. In this regard *"water-based recreational activities"* as defined in Appendix 15 Land Use Definitions contained in the plan are not listed within permissible or open for consideration uses for lands zoned Z7. As Z7 is excluded from the restrictive zoning category uses not listed can be dealt with in accordance with the overall policies and objectives in the Development Plan (page 528). It is submitted however that the uses operating from the yachting and sailing clubs are well established as this location. Similar uses in the past have been permitted by DCC and have been considered to be compliant with this zoning objective. It is noted that the Development Plan states that when extensions to, or improvements of, premises accommodating non-conforming uses are proposed, each shall be considered on their merits, and permission may be granted where the proposed development does not adversely affect the amenities of premises in the vicinity and does not prejudice the proper planning and sustainable development of the area. In the unlikely event that the Board does consider the uses proposed as materially contravening the Development Plan, it can grant permission pursuant to section 37(2)(b) of the PDA 2000.

Zone Z14

Within in the Z14 zoning the *"open space"* uses are permitted in principle. The proposed Port Park is located within lands zoned Z14 and is a compliant use within this zone.

Within in the Z14 zoning the "*port-related industries and facilities"* use is not listed. However, as noted above, in some zonings there is a presumption against uses not listed under the permissible or open for consideration categories in certain zones. Like Z7, the Z14 zoning is also excluded from this category, therefore uses not listed will be dealt with in accordance with the overall policies and objectives in the Development Plan (page 528). Part of the proposed Ro-Ro Container Terminal (at Area K), the Yard (at Area O) and part of the Lo-Lo Container Terminal access (at Area N) are located within lands zoned Z14 however port-related use is not expressly listed and therefore would normally be considered on its merits.

- With respect to this part of Area K and the provision of the Ro-Ro Container Terminal, this area is within the SDZ and its use is regulated by the Planning Scheme which supports port-related uses at this location. Notwithstanding this however, the site currently operates a port-related use. It is proposed that this this area will continue to operate established port-related uses.
- Similarly, Area O and the provision of the Ro-Ro Container Yard is also located within the SDZ which supports port-related uses at this location. It is noted however that the site lies to the south of major utility operators which include Dublin Waste to Energy Plant and Synergn Power. The site is industrial in nature and has been used as a compound for numerous utility operators over time.
- The proposed access to Area N is not with the SDZ. The proposed access passes through part of the curtilage of a protected structure (which was itself industrial) and is surrounded by other utility operators in the vicinity such as Uisce Éireann's Ringsend WwTP, ESB Poolbeg Generating Station and NORA.

It is considered that the development of these Z14 sites for port-related uses is consistent with established utility uses within the Poolbeg area and with policies SC7 and CEE35 of the Development Plan supporting and recognising the national and regional economic role of Dublin Port. Development of these sites is required to fulfil the Dublin Port Masterplan 2040. In the event that the Board considers such uses to materially contravene the Development Plan it can grant permission pursuant to section 37(2)(b) of the PDA 2000.

Zoned Z9

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. Proposals on lands zoned for Z9 uses are:

- East of the proposed Ro-Ro Container Yard (in Area O) and the site reserved to accommodate DCC's District Heating Project, DPC proposes to offer land outside of the SDZ boundary to form part of an addition to the nature reserve, thereby extending existing open space in this area.
- South of the proposed Ro-Ro Container Yard (in Area O) the Coastal Park will lie adjacent to the existing coastal path and will comprise a raised berm that is planted with trees and shrubs. This feature will be retained under the 3FM Project except for a small section to strengthen the linkage between Port Park and Pembroke Cove to the south. An area between the existing berm and a proposed retaining wall along the southern boundary of the proposed Ro-Ro Container Yard (Area O) will be landscaped and planted to enhance the existing features and increase biodiversity.

Both of these areas are subject to the Z9 land use zoning objective. It is submitted that proposals are considered to be in compliance with this objective.

Unzoned Land

Certain small areas of land within the city are unzoned or not covered by a specific zoning objective. These lands are illustrated in white on the zoning maps accompanying the Development Plan and generally correspond with the location of the city's roads, bridges, train lines, or other key infrastructure installations. The Development Plan states that development proposals in respect of these unzoned lands will be considered in accordance with the policies and objectives of the plan. Regard will also be had to their compatibility with adjacent land-uses and zonings (page 528). Development proposed on unzoned land relates to road infrastructure, active travel and public realm enhancement measures and are considered compatible with

adjacent land-uses and zonings. The proposals on areas shown as white are submitted to be compliant with the Development Plan.

SDRA 6

The site is included within SDRA 6 Docklands, and as set out in **Section 6.4.1** of this Planning Report the 3FM Project aligns with the guiding principles in the Development Plan with respect to Employment and Economic Development and Movement and Transport.

7.4.1.3 Compliance with the Development Plan's Policies & Standards Specific to Dublin Port

The Development Plan sets out development management standards for various types of development in order to provide guidance to prospective applicants and developments. Section 15.19 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 3FM 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.

As set out in **Section 6.4.1** of this Planning Report, DCC 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 SC7 and CEE35

The 3FM Project forms part of the Masterplan for the overall development of Dublin Port and this is recognised and acknowledged in the statutory Development Plan. In this regard the 3FM Project is fully supported.

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

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. In this regard DPC has endeavoured to ensure that measures are put in place to safeguard the amenity of adjoining uses through its strategic objectives namely, '*Integrating with the City'*, *'Soft Values Projects'* and ongoing heritage programmes. It has secured planning consent for a new internal road network (Reg. Ref. 3084/16) which includes an approximately 4km pedestrian/cycle route at the northern and eastern edges of the Port Estate, this route is under construction (Reg. Ref. 3084/16) and is consistent with Policy GI2 of the Development Plan[47]. Further measures to enhance this amenity were incorporated into the MP2 Project. In addition, the applicant has undertaken extensive landscaping upgrades to the interface of Port Centre with the city (Reg. Ref. 3452/15) now completed. DPC's commitment to celebrating port heritage is also demonstrated in the repurposing of a former substation (protected structure) at the corner of East Wall Road and Alexandra Road, permitted under Reg. Ref. 2681/20 and now open. This project and the Port Centre Precinct will be further enhanced with the delivery of the Liffey Tolka Public Realm Project (Board Ref. ABP-312692-22). Together these developments have made a radical change to the profile of the port and how interfaces with the City.

In this regard, it is submitted that DPC has demonstrated that it is capable of delivering high quality Port City Integration projects and boundary softening measures in a staged manner at appropriate locations around the periphery of the port in order to safeguard amenity thereby improving the port's interface and profile with neighbouring uses. Images of these projects are included below.

[47] GI2 It is the Policy of DCC to develop an interconnected green infrastructure network of strategic natural and semi-natural areas with other environmental features including green spaces, rivers, canals, the coastal and marine area and other physical features including streets and civic spaces that supports ecological, wildlife, and social connectivity.

Figure 7-8: Port Heritage Integration
Source: Dublin Port Company

As part of the 3FM Project all port/city boundaries will be softened through the relocation of the Lo-Lo terminal to north of the NORA and ESB Poolbeg Generating Station.

As part of the 3FM Project it is proposed to further extend the pedestrian and cycle links across the River Liffey on the SPAR and onwards into the Poolbeg Peninsula with the inclusion of active travel paths (cycle, pedestrian, wheelers etc.) and new or upgraded footways, which will link with the projects under construction. A representation of the proposal is illustrated in **Figure 7-9.**

Figure 7-9: Active Travel Path Public Realm
Source: Dublin Port Company

The 3FM Project will also include the development of a sailing, rowing and maritime campus (Maritime Village) adjacent to the existing Poolbeg Yacht and Boat Club in consultation with local yacht and boating clubs, including a public slipway and facilities for maritime skills training. A representation of the proposal is illustrated in **Figure 7-5**.

It is also proposed to provide recreational space in the form of Port Park and Wildflower Meadow (2.5ha), and Coastal Park (1.6ha). A representation of the proposal is illustrated in **Figure 7-6.** DPC will also provide additional land to enable an extension to the Irishtown Nature Reserve.

As a further soft value measure and in celebration of port heritage, the 3FM Project proposed to create a visual corridor along the Great South Wall with the inclusion of Interpretative Markers to delineate the alignment within the application area between the Maritime Village and ESB Poolbeg Generating Station. A representation of the proposal is illustrated in **Figure 7-4**.

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 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 AASR and NIS submitted with this application for permission.

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

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 policies and objectives guiding the development of Dublin Port.

The proposed development site is largely contained within the Poolbeg Peninsula and seeks to upgrade and consolidate activities on port land. New structures proposed include buildings, ramps, linkspans, lighting, gantries, and jetty and marina infrastructure. The 3FM Project will be well screened by intervening buildings, structures and plant around the existing port and by topography and vegetation at the port's southern

boundary. Although high mast lighting will be visible it will be read with existing lights. Containers stacked at the quayside and handling plant will be visible but read against the backdrop and foreground of existing buildings. 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 the proposed development is 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. Verified views are included as part of the application and assessed as part of the Landscape and Visual Impact Assessment (LVIA) as reported within the Chapter 17, Volume 2 of the EIAR.

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 appropriate landscaping, finishes, signage, boundary treatments and site layout where development adjoins residential and commercial uses.

The design and finish to the boundary treatments proposed to terminals and yards are required to meet with DPC's obligation with regard to physical security measures and also ensure the health and safety of those enjoying walks and cycles through the peninsula. 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. As noted previously noted the proposed development includes a maritime village, public park and the insertion of heritage installation to delineate the route of the Great South Wall. The details of these are set out in the Maritime Village, Port Park and Active Travel Planning & Design Reports included as part of the application.

7.4.1.4 Compliance with Development Plan's Objectives Relating to Built Heritage

An over-riding concern is that 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 the 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. This approach is similar to development permitted under the ABR and MP2 Projects.

The Dublin Port Heritage Conservation Strategy (2024)[48], which is informed by the Architectural Heritage Protection Guidelines for Planning Authorities (2011), and Dublin Port Masterplan 2040 reinforces DPC's commitment to ensuring that development is socially and culturally sustainable, and in line with sustainable development goals.

Consideration of key heritage assets have informed the engineering design of the project. The assessment of impacts, set out in Chapter 16, Volume 2 of the EIAR, has indicated the negative impacts of the 3FM Project, some of which will be reversible, although these are likely to be in the mid-to longer term – post 2040. The mitigation strategy and measures set out in EIAR aim to resolve these directly where feasible. DPC will continue its best practice approach to conservation on the site to retaining the cultural significance of Dublin Port as a deep-water port. Archaeological monitoring of ground and seabed disturbance activities will take place across the project area, ensuring that a robust record is maintained and that any new archaeological observations are resolved fully.

In line with the principles of compact growth, Dublin Port is to maximise the utilisation of brownfield lands rather than the need to resort to significant infill/reclamation options further east into Dublin Bay. The 3FM Project is aligned with this principle which is consistent with national planning policy.

[48] The Conservation Strategy is guided and governed within the national policy context that includes both statutory and non-statutory components. It is also guided by international charters, conventions, principles, guidance, recommendations that provide an important guiding platform for the management and development of places of cultural heritage significance and establishing accepted best practice internationally and nationally.

7.4.1.5 Compliance with Development Plan's Objectives Relating to Movement and Transport

This SPAR will handle all commercial port-related traffic from the Dublin Tunnel to the port lands, and all traffic from industrial / utility operators on the Poolbeg Peninsula thereby removing port and utility traffic from public roads. The proposed development will further extend the pedestrian and cycle links across the River Liffey on the SPAR and onwards into the Poolbeg Peninsula with the inclusion of active travel pathways and new or upgraded footways. The road infrastructure proposed will also accommodate bus based public transport and the bridge structure proposed as part of the SPAR has been designed so that it can be modified in the future to accommodate a LUAS provision, should it be decided that the preferred routing of the LUAS go via this route. It is submitted that the implementation of the 3FM Project will contribute to modal shift towards sustainable transport options through *inter alia* expanding, enhancing and linking with existing pedestrian and cycle networks.

In this regard the SPAR meets the requirements for a public road, and all new and upgraded roads are designed to a taking in charge standard. However, given the purpose of the SPAR to provide access to the south port from the M50 tunnel to cater for HGVs/commercial vehicles coupled within it design to promote and facilitate sustainable travel modes it is likely that a scheme will be required to restrict access other than to private vehicles. This may take the form of a restricted or tolled scheme under the Roads Act.

7.4.1.6 Compliance with Development Plan's Objectives Relating to Seveso

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. NORA petroleum product tank farms and Dublin Bay Power establishments on the Poolbeg Peninsula are of particular importance to the proposed development.

Byrne Ó'Cléirigh Consulting Engineers conducted a COMAH Land Use Planning Assessment for the 3FM 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 report 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.

7.4.2 Poolbeg West Planning Scheme

7.4.2.1 Land Use and Delivery of Port-Related Uses

The Planning Scheme deals with the sequencing of the development and specifically notes the two independent phases for development of Areas A and B in section 9.4. The first phase is designated *"Phasing Area A: Residential, Commercial, Amenity and Community Zonings"*. The second phase is designated *"Phasing Area B: Industrial & Port Zone"*. The 3FM Project is primarily focused within lands indicated as Area B lands.

Specifically, how the 3FM Project directly interacts with the Planning Scheme is as follows:

- Lands described as Block B1 in the Planning Scheme include a portion of the 3FM Project at lands identified as Area K (specifically K_2) in the Dublin Port Masterplan, which will be developed as part of a Ro-Ro facility. These lands are designated in the Planning Scheme for *"Industrial & Port Zone".*
- Lands described as Block B2 in the Planning Scheme include a portion of the 3FM Project at lands identified as Area O in the Dublin Port Masterplan which are intended to be developed for unitised cargo handling to support the proposed Ro-Ro terminal in Area K. In the Planning Scheme, Block B2 is Zoned *"Mixed Use – Commercial, Creative Industries, Industrial (including Port Related) Activities."*
- Lands directly to the west of Block B2 in the Planning Scheme are intended to have a commercial element and face onto a buffer park zone, with possible uses including hotel, office or other commercial and/or leisure and limited retail/café type uses. The Planning Scheme notes that this area is directly

impacted by the transport corridor reservation for the Eastern Bypass and will be reviewed following the resolution of the reservation. In the meantime, the Planning Scheme indicates it is intended that this area will be used as a transition between the new residential area on the former Irish Glass Bottle site and the cargo storage area in Block B2, and is referred to as *"Port Park".* Much of the lands are identified as Southern Lands Public Realm within the Dublin Port Masterplan.

- The 3FM Project will also upgrade and enhance the road configuration which include the provision of new links to development sites, the SPAR and active travel routes.

The Planning Scheme allows for the continuation of existing uses on B1 and B2, and also allows the lands to be used for temporary port facilities, port-related buildings, and container storage on B1 and for unitised cargo storage on B2.

Block B1

The lands designated as Area K in the 3FM Project (which incorporate only part of B1) are currently used for container storage associated with the Lo-Lo Berths on the south side of the port. In the 3FM Project, Area K is to be used for the construction of two new Ro-Ro ramps, which will incorporate existing Berths 42 - 45, and associated cargo storage.

Block B1 in the Planning Scheme is divided into two sections:

- that part affected by the transport reservation corridor, and
- that part which contains the continued use of land for port and port-related activity, which in the short term is the *"Replacement of 'Lo-Lo' operations with 'Ro-Ro' in Block B1"*.

Objective LP5 ensures that future port development shall comply with Phasing Area B which envisages the replacement of Lo-Lo with Ro-Ro and other port-related development within the short term. In this regard the conversion of the lands from a Lo-Lo facility to a Ro-Ro facility is a continuation of the existing use of the lands and consistent with objective LP5.

The remainder of Area K (also located within Block B1) leaves adequate space for the envisaged buffer area between the industrial port area and Area A as a commercial/residential mixed use area. As advised by DCC during consultations a feasibility study was undertaken by DPC to demonstrate that this area could be development for a mix of uses however this area does not form part of the 3FM Project.

Block B2

With respect to Block B2, part of Area O will support activity within the new Ro-Ro terminal as unitised cargo handling. To the west of Block B2 (and Area O) open space is proposed and will form the interim buffer (Port Park) between port-related uses and the predominantly residential mixed uses located in Area A. The boundary between this buffer and port use will be secured and screened with planting. These proposed uses are consistent with the Planning Scheme.

The eastern portion of Area O remains without proposals for the purposes of the 3FM Project. It is envisaged that district heating proposals may come forward at this location in the future.

7.4.2.2 Eastern Bypass and Southern Port Access Route

Objective EC3 states that Dublin Port is nationally important, and as such it is an objective to allow for sustainable growth of the port and investment in transport infrastructure as needed.

The GDA Transport Strategy indicates that the Eastern Bypass scheme is no longer required to be developed. In this context, section 13.3.4 and Measure ROAD5 of the GDA Transport Strategy deals specifically with access to the south port lands (on the Poolbeg peninsula) through confirming that access to Dublin Port is a requirement to facilitate efficient and sustainable operations, and that difficulty in accessing the South Port Estate from the national road network, in particular the connection to the Dublin Tunnel, is to be addressed by the delivery of the SPAR.

A review of the Planning Scheme is envisaged following the resolution of the route selection for the Eastern Bypass which may result in lands being freed up for development. However, the proposals included within the 3FM Project do not impact on this update process as buffer areas remain free from development and the Southern Port Access Route forms part of the proposed development.

The 3FM Project will address objectives within the Planning Scheme which aim to promote sustainable transport, a coastal greenway, cycling routes, and the extension of Luas service to Poolbeg through enhancing the connectivity of the peninsula by providing high-quality and comfortable active travel connections across the River Liffey and in the wider area, while also including spatial provision for a future extension of the Luas to Poolbeg. The works proposed will support development within the SDZ, and ultimately aid in achieving modal shift toward active and sustainable travel.

7.4.2.3 Port Park

As set out in the Planning Scheme a buffer is required between Block B2 and the residential/mixed use area to be accommodated in Area A. Until the requirements of the mixed use buffer are prescribed this area is designated as a park. The 3FM Project includes proposals for the Port Park and part of a Coastal Park. Both the Port Park and Coastal Park are generally located in those areas identified in the Planning Scheme for *"Development Infrastructure/Open Space".*

Given that the Eastern Bypass has now been resolved proposals detailing the requirements of the mixed use buffer can now be prescribed in a review to the Planning Scheme. In the interim Port Park and Coastal Park are proposed and include a planted landscape berm to screen the public spaces from activity operating within Block B2 (Area O Ro-Ro Container Yard).

7.4.2.4 Great South Wall

Objective LP7 provides for, where possible, development within Block B1 of the SDZ (port lands) to include proposals for the conservation/enhancement of the Great South Wall.

The route of the Great South Wall goes through the existing port Lo-Lo terminal and is inaccessible to the public. This will remain unchanged with the construction of the new Ro-Ro terminal in Area K. The introduction of the SPAR and active travel routes will further disrupt the wall's original alignment. To mitigate against these interventions, it is proposed to incorporate the salvaged wall material into the design of the proposed interpretive elements. Given that placing interpretive markers within Area K is not feasible, existing portions of the wall within the yard will be maintained and safeguarded through the designation of exclusion zones within the yard. Furthermore, to address where the wall's route will not form part of a public realm, it is proposed to establish two new marking points at the easternmost and westernmost extremities of Area K. These points will delineate where the wall's route re-enters the public realm on either side, ensuring the continuity of its historical narrative despite the interruptions. The concept design of these areas is provided in the Design Statement Great South Wall Overview of Impacts, Mitigation & Interpretation prepared by a team led by Darmody Architects and included as part of the documentation supporting the planning application.

7.5 Consideration of Alternatives

As set out in **Section 6** of this Planning Report, Dublin Port is designated by the NPP as a Tier 1 Port of National Significance. The NPF acknowledges the NPP 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 NPF 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, which was subject to Strategic Environmental Assessment (SEA) Environmental Report and NIS, is underpinned by this development model seeking to optimise the lands controlled by the port, the DCC's Franchise Policy has assisted in achieving this strategy. The 3FM 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.

The design solution for the 3FM Project was finalised as part of the iterative environmental impact assessment process. Detailed consideration has been given to the location and design of each element in order to ensure that the final design is 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 the final project, taking into account the environmental effects, are set out in Chapter 4, Volume 2 of the EIAR.

7.6 Other Consents

7.6.1 Dumping at Sea

As set out in the EIAR approximately 1,117,000cu.m of dredged sediments will be disposed of at the licensed offshore disposal site, located at the approaches to Dublin Bay west of the Burford Bank. The loading and dumping of the dredged material will be subject to a separate Dumping at Sea Permit from the Environmental Protection Agency (EPA).

7.6.2 Industrial Emissions Licence

Options to dispose of material unsuitable for disposal at sea may include fill for Berth 52/53 under a revised Industrial Emissions (IE) licence. A detailed description of the disposal options is presented in Chapter 8, Volume 2 of the EIAR.

7.7 Community Gain

Under section 37G(7)(d) of the PDA 2000, the Board may attach a condition to a permission requiring:

> *"(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."*

Appendix C of this Planning Report contains a description of the community gain proposal submitted by DPC. DPC submits that this proposal 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 DCC, local communities and interested parties and has found widespread support. Many of the elements have been incorporated into the design and layout of the proposed development. In outline it consists of the following elements as set out in **Table 7.1**.

Table 7-1: Community Gain Elements

Element	Detail
Recreation	To enhance the recreational activities on the Poolbeg Peninsula, DPC is proposing that the Community Gain for the project will involve: • The construction of 7.0km of Active Travel Paths and 4.9km of new or upgraded footway for the SPAR and Poolbeg Peninsula which will link up with the 1.4km Liffey Tolka greenway and the 4.0km Tolka Estuary Greenway. • DPC will provide DCC with a €5million contribution for future upgrading of the existing coastal path along the southern perimeter of the Poolbeg Peninsula. • The development of a new floodlit playing pitches in Port Park for the use of local football clubs. • The provision of additional 5.2ha of open space through the Port Park, Wildflower Meadow, Coastal Park and extension to the Irishtown Nature Park.

Element	Detail
	• These measures will be in addition to the development of the Maritime Village, which involves the construction of new facilities for local Clubs whose moorings and club facilities will be replaced due to the construction of the SPAR.
Public Realm	To enhance the public realm in the Poolbeg Peninsula, DPC is proposing the following: • The creation of a new 2.5ha Public Park and adjacent Wild Flower Meadow (Port Park) on the south side of the Peninsula as a buffer between the new Pembroke Quarter and the port area. • The provision of a 1.6ha Coastal Park • The creation of a new public plaza as a key part of the Maritime Village. • Extensive boundary softening works adjacent to the development sites forming part of the 3FM Project. • The allocation of an additional 1.1ha to the Irishtown Nature Reserve.
Community	The establishment of a targeted Community Benefit Fund specifically for: • Projects concerned with Education, Heritage and Maritime Skills within the Poolbeg Peninsula area and adjoining communities. • The initial capital for the Fund will be €2m and it will be administered by DPC in consultation with local stakeholders.
Heritage & Biodiversity	As part of the Community Gain proposal for the 3FM Project, Dublin Port Company will commission a Public Access Feasibility Study concerning the Great South Wall with a view to: • Providing an interpretation of the Great South Wall for visitors along its full length from Tom Clarke Bridge to the Poolbeg Lighthouse. • Identifying the possibility of opening public access to more of the Great South Wall, given that a significant portion of the original wall is not currently publicly accessible. • Examining ways in which the Great South Wall could be better linked or connected to other Heritage Assets on the Poolbeg Peninsula to improve public accessibility and access to structures and locations that were central to the original development of the Poolbeg Peninsula. In particular examining opportunities for closer linkage between Pigeon House Harbour and the Great South Wall. • Examining existing facilities available for visitors to the Great South Wall and seeing what additional appropriate facilities might be made available. • Reviewing how existing and increased public access to the Great South Wall can be supported while having regard for the conservation and protection of the Wall and the need to respect the sensitive natural environment in the area. • DPC will also commit to spending up to €1m to implement the recommendations from the Great South Wall Study. • Provision of an additional permanent marine structure to expand the available habitat and range of the Dublin Port Tern Colonies.

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

7.8 Duration of Permission

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.

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 limited works may be carried out in tandem as most will need to be carried out sequentially where works for one element cannot commence until an earlier related element is concluded. Works to terminals must occur in a sequential basis as the port must remain open for operational throughout therefore simultaneous works is not a construction programming option available.

The permitted ABR Project, the permitted MP2 Project and proposed 3FM 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.

Based on its experience with respect to the ongoing delivery of the ABR and MP2 Projects, DPC estimate that allowing for other consents to be secured, design development, procurement, compliance agreements, that a 12-18 month period will be required before construction works can commence following receipt of planning permission. As set out in Chapter 5, Volume 2 of the EIAR, the construction programme illustrates the necessity for a 15-year permission, given the scale and complexity of the project, with the clear illustration of the quantum of works to be undertaken after Year 10. The sequence is illustrated in **Figure 5-12**.

7.9 Environmental Impact Assessment Report (EIAR)

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 PDRs.

It is highlighted to the Board that site-specific scientific data collected to date on foot of the ABR Project, MP2 Project and the Strategic Environmental Assessment (SEA), for the purposes of the review of the Dublin Port Masterplan during 2017 and 2018, was used to support the preparation of the EIAR for the 3FM 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.

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.

All relevant environmental assessments in respect of the 3FM 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.

The EIAR 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 production of the EIAR has been co-ordinated by RPS. The EIAR structure, responsibility and qualified input for each chapter are detailed in Table 1.2, Chapter 1, Volume 2 of the EIAR.

As requested by the Board in its notice under section 37B(4)(b), an overall listing of mitigation measures proposed is provided in Chapter 21 of the EIAR and within the Summary of the Mitigation Measures Report prepared by RPS and is enclosed as part the application documentation.

7.10 Habitats Directive Assessments

Article 6(3) 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.

The spatial configuration of these protected sites and their relationship with the proposed project is presented and assessed in Chapter 7, Volume 2 of this EIAR, and in the separate AASR and NIS submitted with the application for permission.

8 CONCLUSIONS

The proposed development will be a vital component in sustaining a key economic driver of Ireland's economy by removing capacity constraints. The 3FM 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.

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.

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 actions as set out under CAP24 where the development will contribute towards reducing transport related carbon emissions through the provision for active travel infrastructure and facilitates public transport options;
c. 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;
d. Measure ROAD5 of the Transport Strategy for the Greater Dublin Area, 2022 to 2042 with respect to the delivery of the Southern Port Access Route;
e. The policies and objectives of the Dublin City Development Plan 2022-2028, including Policy SC7, CEE35 and SMT30; and
f. The implementation of the Poolbeg West Planning Scheme in the delivery of port-related uses.

The third and final project being brought forward from the Dublin Port Masterplan 2012 (reviewed 2018) will succeed in:

- Providing additional capacity that will be needed by 2040 to ensure that capacity constraints do not arise in the period to 2040.
- Optimising the utilisation of brownfield lands rather than the need to resort to a significant infill/reclamation option further east, fully consistent with planning policy and compact growth models.
- Fulfilling a number of national strategic objectives including enabling Dublin Port to fulfil its role as Tier 1 Port and connecting the south port area with the Dublin Tunnel though the construction of a new bridge across the River Liffey as a core part of the Southern Port Access Route, significantly removing port traffic from public roads in the vicinity of Dublin Port, particularly the Tom Clarke Bridge.
- Completing a series of public realm and active travel projects on the Poolbeg Peninsula which mirror similar developments on the north side of the port to meet Dublin Port Masterplan 2040's objective to integrate Dublin Port with Dublin City.
- Providing a historical reference to Dublin's port heritage through the inclusion of physical and interpretative material references to key heritage assets which thread through the site echoing the approach taken in the North Port Estate.
- Delivering the project over a 15-year period while also continuing to service the national economy throughout the construction whilst ensuring that works do not impede the effective and safe operation of Dublin Port or adversely affect the integrity of any European site.

It is submitted that in circumstances where the 3FM Project will continue the long-established use of Dublin Port and further the objectives 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.