

## 4 POLICY AND PLANNING CONTEXT

This chapter outlines the national, regional and local policy documents which set out specific policy statements in relation to the development of the proposed pipeline.

### 4.1 National Policy Context

The national and regional importance of the development of a pipeline that will serve Dublin Airport is included in a number of policy documents. At national level the relevant policy documents are:

- National Spatial Strategy for Ireland 2002 – 2020
- National Development Plan 2007 – 2013
- White Paper - Delivering a Sustainable Energy Future for Ireland'
- Smarter Travel a Sustainable Transport Future: *A New Transport Policy for Ireland 2009 – 2020*
- Ireland's Greenhouse Gas Emissions Projections 2013 - 2030

#### 4.1.1 National Spatial Strategy for Ireland 2002 - 2020

The National Spatial Strategy (NSS) 2002-2020 is a 20 year national planning framework for Ireland. It aims to achieve a better balance of social, economic and physical development across Ireland, supported by more effective and integrated planning. The Minister for the Environment, Community and Local Government leads the Strategy's implementation.

The NSS proposes that the national spatial structure be supported by a national transport framework, providing an improved network of roads and public transport services, enhancing access and connections throughout the country. This framework will be internationally connected through key points such as airports and ports.

Section 3.6 of the NSS lists a number of strategic national roles, including consolidating the Greater Dublin Area. One of the key considerations in achieving this is "*facilitating the national roles of Dublin Airport and Dublin Port*". Section 3.7 of the Plan recognises that "*achieving spatial balance by developing the potential of areas will depend on enhancing capacity for the movement of people, goods, energy and information between different places*".

#### 4.1.2 National Development Plan 2007 - 2013

The National Development Plan *Transforming Ireland – A Better Quality of Life for All* sets out the roadmap to Ireland's future. Key outputs under the investment priorities of this plan relevant to this project are:

- To improve the infrastructure of the three State Airports and provide support for investment in the regional airports
- To better equip the ports sector to meet national and regional capacity and service needs
- To promote security of energy supply, which is competitively priced, in the long term and implement a significant programme of energy diversification with beneficial environmental effects.

The plan aims to enhance physical and spatial planning within Ireland to ensure that Ireland's future spatial development is structured in a manner that is internationally competitive, socially cohesive and environmentally sustainable. It promotes a more efficient Greater Dublin Area, through the improved development of more compact and sustainable communities and high quality international and domestic transportation connections.

In order to promote internal and external accessibility, the plan recognises that investment and support for the three State Airports and Regional Airports is required.

The Air Transport Sub-Programme main objective, under this Plan, is to ensure that there is sufficient infrastructure capacity to meet the growing air traffic demand and to ensure that infrastructural capacity increases in line with the growth in air services, particularly for Dublin Airport because of its international gateway status for a capital city. The proposed pipeline project will provide a secure and sustainable supply of fuel to meet increasing demands.

#### 4.1.3 Green Paper on Energy Policy in Ireland - 2014

This consultation paper was published by the Department of Communications, Energy and Natural Resources in May 2014. The Green Paper sets out six policy priority areas in respect of which views are sought:

- Priority 1: Empowering Energy Citizens
- Priority 2: Markets and Regulation Priority 3: Planning and Implementing Essential Energy Infrastructure
- Priority 4: Ensuring a Balanced and Secure Energy Mix
- Priority 5: Putting the Energy System on a Sustainable Pathway
- Priority 6: Driving Economic Opportunity

It highlights the importance of providing reliable energy supply, while minimising costs and protecting against supply disruptions for Irish enterprise and consumers. With transport accounting for almost 19% of greenhouse-gas emissions in 2012 in Ireland it outlines the importance of reducing energy consumption in the transport sector.

#### 4.1.4 White Paper - Delivering a Sustainable Energy Future for Ireland 2007 -2020

The White Paper '*Delivering a Sustainable Energy Future for Ireland*<sup>4</sup> sets out the Government's Energy Policy Framework for 2007 – 2020, to deliver a sustainable energy future for Ireland. It is set firmly in the global and European context of concern in relation to energy security and climate change. Section 3.1 of the plan - *Actions to Ensure Energy Supply* states that:

*"Security of energy supply is crucial for the economy and society. Security of supply requires that we have reliable access to oil and gas supplies and the infrastructure in place to import, distribute and to store gas and oil."*

This paper aims to ensure that the Irish energy sector continues to make a substantial contribution to reducing CO<sub>2</sub> emissions through actions like ensuring energy policy and climate change policy goals are closely aligned and that strategies for reducing energy demand and energy related emissions contribute to national climate change targets.

Section 3.11.2 - Promoting the Sustainable Use of Energy in Transport outlines that it is essential that growth in energy consumption in the transport sector is decoupled from economic growth in order for the transport sector to become more sustainable. The objective is to:

*"develop a transport system, which will allow for the maintenance of economic competitiveness by removing infrastructural bottlenecks and achieving security of supply through a diverse fuel mix, whilst increasing social cohesion and access for communities in peripheral rural areas and reducing environmental impacts".*

The paper also realises that the provision of supply-side infrastructure through capital investment is required to achieve this.

In section 3.13.12, the paper sets a target of 20% savings in energy across the electricity, transport and heating sectors by 2020. The proposed pipeline will assist in meeting the transport target through the removal of HGVs from the road network.

#### 4.1.5 Smarter Travel a Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020

This document outlines key goals and specific actions aimed at ensuring that transport policy in Ireland is sustainable. Key goals relevant to the proposed development are:

- Improve economic competitiveness through maximising the efficiency of the transport system and alleviating congestion and infrastructural bottlenecks
- Minimise the negative impacts of transport on the local and global environment through reducing localised air pollutants and greenhouse gas emissions.
- The road freight sector will become more energy efficient, with a subsequent reduction in emissions.
- Transport will make a meaningful contribution to Ireland's commitment under the proposed EU effort-sharing arrangement in relation to climate change and real reductions on current levels of emissions will be achieved.

Chapter 6 specifically deals with the aviation sector in that it states "As an island nation with an open economy, aviation provides a key transport link for us. Connectivity and access through international and regional airports are vital for our tourism industry, which generated €4.9 billion revenue in 2007 from foreign visitors and employs some 322,000 people in the tourism and hospitality sector." This proposed development will reinforce the key transport link of Dublin Airport with a more sustainable long-term solution with regard to the supply of aviation fuel.

#### 4.1.6 Ireland's Greenhouse Gas Emission Projections 2013-2030

The National Climate Change Strategy designated the Environmental Protection Agency (EPA) with responsibility for developing annual national emission projections for greenhouse gases for all key sectors of the economy, including transport.

The EPA's most recent publication (May 2014), stated that current projections indicate that Ireland is not on a pathway to a low-carbon economy. Total national greenhouse gas emissions are projected to, at best, decrease by an average of 0.4% per annum up to 2020 if all national policies are implemented and delivered. Furthermore, emissions are projected to increase between 2020 and 2030 (12% in total), with transport a key contributor to this trend, in the absence of additional policies and measures.

## **4.2 Regional Policy Context**

Relevant regional policy documents include:

- Regional Planning Guidelines for the Greater Dublin Area 2010-2022
- A Platform for Change - An Integrated Transportation Strategy for the Greater Dublin Area 2000 to 2016
- Greater Dublin Area Transport Strategy 2011-2030

The two transportation strategies have been included to highlight the positive impact the proposed project will have on reducing the demand for transport via roads in addition to improving road safety for other users.

#### 4.2.1 Regional Planning Guidelines for the Greater Dublin Area 2010-2022

The Greater Dublin Area (GDA) includes the geographical area of Dublin City, Dun Laoghaire- Rathdown, Fingal, South Dublin, Kildare, Meath, and Wicklow and incorporates the regions of both the Dublin Regional Authority and the Mid-East Regional Authority. The Regional Planning Guidelines (RPGs) provide a long-term strategic planning framework for the development of the Greater Dublin Area (GDA) over a 12 year period.

The RPGs seek to deliver policies integrating land use, transport, economic growth and investment in utilities, broadband and energy so that the GDA can move towards becoming a sustainable high quality location for business, residents and visitors.

The guidelines state that “*The GDA, through its ports and airport connections will continue to be the most important entry/exit point for the country as a whole, and as a Gateway between the European Union and the rest of the World. Access to and through the GDA will continue to be a matter of national importance*”.

Other policies relevant to this project include:

- Strategic Policy PIP1: Future investment in transport in the GDA shall serve the needs of the GDA by: (i) providing efficient and effective and sustainable means of moving people and goods for business, family and leisure purposes which minimises the environmental impact and the social and economic cost to users; (ii) allows for the development of a land use strategy that supports sustainable development; and (iii) supports growth and efficiencies in economic activity for both the GDA and the State.
- Strategic Policy PIP4: That the ICT and energy needs of the GDA shall be delivered through the time of the RPGs through investment in new projects and corridors to allow economic and community needs to be met, and to facilitate sustainable development and growth to achieve a strong and successful international GDA Gateway
- Strategic Policy GIP1: To ensure that all aspects of the built heritage including archaeological, industrial, and architectural heritage, and those buildings which are home to protected species, are suitably protected, enhanced, sensitively reused/integrated into new development works and incorporated in development plans, records of protected structures, heritage plans and site specific projects & developments.
- Strategic Policy GIP2: To protect and conserve the natural environment, including in particular nationally important and EU designated sites such as Special Protection Areas, Candidate Special Areas of Conservation and proposed Natural Heritage Areas, protected habitats and species, and habitats and species of local biodiversity value. This policy also includes new or extended ecological sites that are notified or designated in the lifetime of the RPGs. Appropriate measures to protect Natura 2000 sites should be identified at the initial stages of all planning processes and included as a material consideration in order to inform future development.
- Strategic Policy GIP6: To ensure the protection, enhancement and maintenance of the natural environment and recognise the economic, social, environmental and physical value of green spaces through the development of and integration of Green Infrastructure (GI) planning and development in the planning process.

#### 4.2.2 A Platform for Change - An Integrated Transportation Strategy for the Greater Dublin Area 2000 to 2016

This is a transport strategy to support and complement the strategic land use planning framework set out in the Strategic Planning Guidelines for the Greater Dublin Area. Objectives which are relevant to the proposed development include:

- Improve accessibility and reduce congestion
- Sustain economic development and regeneration
- Enhance goods distribution in a sustainable way
- Reduce growth in the demand for transport, especially private transport
- Reduce travel times and congestion
- Ameliorate direct environmental effects of transport – noise, severance, air pollution and greenhouse gas emissions
- Improve transport safety
- Improve accessibility to ports and airports for passengers and goods
- Improve accessibility to and from the Greater Dublin Area
- Foster sustainable development.

A review of factors influencing traffic growth identified that Dublin Airport is a major destination for trips from all parts of the Greater Dublin Area.

#### 4.2.3 Greater Dublin Area Draft Transport Strategy 2011-2030

The Draft Strategy addresses the Region's transport needs for the next 20 years and was published by the National Transport Authority. It is linked to sustainable land use planning and is directed by people's

economic, social, cultural and environmental needs. The strategy is for a competitive, sustainable city-region with a good quality of life for all. Five overarching objectives were agreed for the Strategy, including:

- Build and strengthen communities
- Improve economic competitiveness
- Improve the built environment
- Respect and sustain the natural environment
- Reduce personal stress

Sub objectives relevant to the proposed development include:

- Improve access to Greater Dublin Area ports and Dublin airport
- Provide for efficient goods distribution, servicing and access to materials
- Improve the quality of design and maintenance of transport infrastructure and vehicles
- Minimise physical intrusion of motor traffic
- Minimise the impact of transport on air quality
- Minimise the impact of transport on water quality
- Reduce greenhouse gases associated with transport
- Improve efficiency in the use of natural resources, especially non-renewable ones (e.g. land, materials, fuels)
- Minimise the impact of noise and vibration
- Minimise adverse impact of transport on biodiversity and natural amenities

### 4.3 Local Policy Context

Relevant regional policy documents include:

- Dublin City Council Development Plan 2001 - 2017
- Fingal County Council Development Plan 2011 - 2017
- Dublin Airport Local Area Plan
- Dublin Docklands Area Master Plan 2008 (which has been extended to 2015)
- Dublin City Biodiversity Action Plan 2008-2012
- Climate Change Strategy for Dublin City 2008-2012

#### 4.3.1 [Dublin City Council Development Plan 2011 - 2017](#)

The planning policy for DCC is set out in the Dublin City Development Plan (CDP) 2011 – 2017. Objectives and policies within this document that are relevant to the proposed development from a planning perspective and each environmental topic defined in the EIA Directive are summarised hereunder.

#### Land Use

There are a number of future objectives/developments noted in this Plan which are in close proximity to the proposed pipeline including:

- To provide the Dublin eastern by-pass from the M50 to the Port Tunnel to the east of the city
- To provide a road scheme/bridge over the River Tolka just before the railway bridge along East Wall Road
- To provide a road scheme connecting the IDA Business Park, Belcamp to the Northern Cross Route East at Clonshaugh Bridge.

Further, when assessing proposals for the Dublin Port area, the Council will consider:

- The economic and employment needs to facilitate port development or relocation
- The design and landscape of the periphery port area facing residential areas to minimise the impact of its industrial character
- Impacts on nature conservation, recreation and amenity use, and other environmental considerations including the re-designation of the Dublin Bay SPA
- The protection of the amenities of residential and commercial uses in adjoining areas

### **Natural Resources**

The protection and improvement of natural resources is also the policy of DCC as it aims to achieve good ecological status, good ecological potential and good chemical status for all water bodies in the City by 2015 in accordance with the Water Framework Directive (Policy SI41). The Council also aims to protect the city's ground water resources in accordance with the Water Framework Directive (Policy SI42).

### **Air, Noise and Light Pollution**

It is the Council's policy to:

- SI53 - Monitor and improve air quality in accordance with national and EU policy directives on air quality
- SI54 - Reduce noise pollution by requiring all developments to be designed and operated in a manner that will minimise noise levels
- SI55 - Ensure that the design of external lighting proposals minimises light spillage or pollution in the surrounding environment and has regard to the residential amenity of the area

### **Energy Supply and Efficiency**

DCC promotes high energy and environmental standards, with a particular emphasis on the three sectors that contribute most to climate change in the city - residential, commercial and transport sectors.

Section 5.2.4.15 of the plan states that, a secure and reliable energy network is an important element for supporting economic development and supporting the needs of every sectoral interest in the city. To achieve this, the Council will support a wide range of energy supply solutions to meet future demand, particularly renewable energy sources and less carbon intensive supplies including:

- SI60 - Supporting a wide range of energy solutions to meet consumption needs, with a particular emphasis on renewable energy sources to secure a low carbon electricity supply
- SI61 - Promoting energy efficiency, energy conservation and the use of renewable energy in existing and new developments

In particular DCC will work in conjunction with the adjoining local authorities, to reduce 'greenhouse gas' emissions and mitigate against climate change, with particular regard to energy, planning, transport, waste management and biodiversity (HR8).

### **Protection of Open Spaces/Amenities**

The council has specific policies in relation to open spaces/amenities which are relevant to this project:

- GC6 - To protect and improve the natural character of watercourses and to promote access, walkways and other compatible recreational uses along them
- GC10 - To continue to protect and enhance the landscape, including existing green spaces through sustainable planning and design for both the existing community and for future generations and to protect trees in accordance with existing Tree Preservation Orders
- GC15 - To continue to manage and protect and/or enhance public open spaces to meet the social, recreational, conservational and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces

- GC24 - To seek the continued improvement of water quality, bathing facilities and other recreational opportunities in the coastal, estuarine and surface waters in the city and to protect the ecology and wildlife of Dublin Bay

It is a specific objective of Dublin City Council, to continue to develop the following parks, open spaces and amenities (GCO40) including:

- Tolka Valley Park including Cardiffsbridge Nature Park
- Santry River Valley/Springdale Road Park
- Mayne River Valley (in conjunction with Fingal County Council)
- Fairview Park - to include new playground.

## Biodiversity

Relevant policies include:

- GC24 - To seek the continued improvement of water quality, bathing facilities and other recreational opportunities in the coastal, estuarine and surface waters in the city and to protect the ecology and wildlife of Dublin Bay
- GC25 - To protect and enhance bio-diversity in the city through the protection of nature conservation sites, maintenance of valuable mitigation habitats, the creation of a cohesive network of green corridors, green infrastructure design and also through the identification of opportunities for new habitats
- GC26 - To protect flora, fauna and habitats, which have been identified by the Habitats Directive, Birds Directive, Wildlife Act 1976 (as amended), the Flora Protection Order (S.I. no. 84 of 1999), and the European Communities (Natural Habitats) Regulations 1997 (S.I. no. 94 of 1997)
- GC27 - To conserve and manage all Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas identified and designated, or proposed to be designated
- GC29 - To conserve priority species, habitats, and natural heritage features identified in the Dublin City Biodiversity Action Plan 2008 - 2012 for priority conservation measures
- GC30 - To have regard to the conservation and enhancement of significant non-designated areas of ecological importance in accordance with development standards set out in this plan
- GC31 - That any plan or project with the potential to give rise to significant direct, indirect or secondary impacts on a Natura 2000 site(s) shall be subject to an appropriate assessment in accordance with Article 6(3) of the Habitats Directive.

## Built Heritage

DCC recognises that built heritage contributes significantly to the city's identity and to the richness and diversity of its urban fabric. It has a number of policies to protect and enhance this heritage. Policies which are relevant to this project include:

- FC26 - To protect and conserve the city's cultural and built heritage; sustaining its unique significance, fabric and character to ensure its survival for future generations
- FC27 - To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city
- FC28 - To continue to protect our built heritage, and development proposals affecting the built heritage will be assessed in accordance with the DoEHLG document "Architectural Heritage Protection Guidelines for Planning Authorities, 2004"
- FC30 - To include those structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures. To protect these structures, their curtilage and the setting from any works that would cause loss or damage to their special character
- FC40 - To protect the special character of the city's conservation areas through the application of the policies, standards and guiding principles on building heights

- FC64 - To promote the in-situ preservation of archaeology as the preferred option where development would have an impact on buried artefacts, except where other alternatives are acceptable or exceptional circumstances are determined by the relevant statutory agencies. Where preservation in situ is not feasible, sites of archaeological interest shall be subject to archaeological investigations and recording according to best practice, in advance of redevelopment

### Flooding

- SI47 - To assist the Office of Public Works in developing catchment-based Flood Risk Management Plans for rivers in the Dublin city area and have regard to their provisions/recommendations
- SI48 - To carry out flood risk assessment and introduce Flood Risk Management in all areas which have been flooded in recent years recognising that areas of the city are at risk of flooding
- SI49 - To have regard to the Guidelines for Planning Authorities on the Planning System and Flood Risk Management, November 2009, published by the Department of the Environment, Heritage and Local Government when assessing planning applications and in the preparation of plans both statutory and non-statutory
- (SI50) - To put in place adequate measures to protect the integrity of the existing Flood Defence Infrastructure and to ensure that new developments do not have the effect of reducing the effectiveness or integrity of existing and new flood defence infrastructure and that flood defence infrastructure provision has regard also to nature conservation and amenity issues.

DCC also has the following objectives with regard to flood risk:

**SI077** - To require all applicants, where appropriate, to carry out a Flood Risk Assessment in accordance with the Departmental Guidelines on Flood Risk Management. The flood risk assessment shall accompany the planning application and should be sufficiently detailed to quantify the risks and the effects of any necessary mitigation/adaptation, together with the measures needed to manage residual risks. Local Area Plans or other land use plans or policies drawn up by Dublin City Council under the Development Plan are also subject to a flood risk assessment as appropriate in accordance with the Guidelines.

For coastal areas, soft engineering options are to be applied where appropriate in accordance with best practice. In relation to rivers, applicants should give consideration to potential river channel impact, adhere to the ERFB (now IFI) guidance and ensure access for wildlife to the river where possible.

In terms of flood management, it is recognised that the risk of flooding has increased due to climate change and sea level rise. There are three types of flooding events which can arise separately or in combination:

- 1) Coastal Flooding arising from the sea or estuary
- 2) Fluvial Flooding arising from Rivers or streams
- 3) Pluvial Flooding arising from extreme rainfall

The Dublin City Council Water Services Strategic Plan 2009 is the current strategic plan in place for Dublin City and sets out a number of objectives in relation to flood risk management including an objective to meet the requirements of the Floods Directive. Dublin City Council has been working in cooperation with the OPW to put in place appropriate studies and policies to address this issue (see also Appendix 17 on Flood Defence Infrastructure in the DCDP). The three types of flooding above have been addressed by various measures and policies including:

- Coastal Flooding – the 2005 Report on the Dublin Coastal Flood Protection Project
- Fluvial Flooding – The preparation of Catchment Flood Risk Assessment Models (CFRAMS)
- Pluvial Flooding - the implementation of the SAFER Project and the Flood Resilient Cities Project
- General – the Guidelines issued by the DEHLG on “The Planning System and Flood Risk Management”, Draft Guidelines for Planning Authorities on Flood Risk Management have been issued by the Department of Environment, Heritage and Local Government.

**Ecology**

- To co-operate with Dublin Bay Task Force (DBTF) to work towards developing a framework for a Coastal Zone Management Plan for Dublin Bay, developing a detailed master plan, and identifying new opportunities for enhancing Dublin Bay as a resource (GC23)
- To seek the continued improvement of water quality, bathing facilities and other recreational opportunities in the coastal, estuarine and surface waters in the city and to protect the ecology and wildlife of Dublin Bay (GC24)

**Conservation**

- To protect and conserve the city's cultural and built heritage; sustaining its unique significance, fabric and character to ensure its survival for future generations (FC26)
- To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city (FC27)
- To continue to protect our built heritage, and development proposals affecting the built heritage will be assessed in accordance with the DoEHLG document "Architectural Heritage Protection Guidelines for Planning Authorities, 2004" (FC28)
- To co-operate and facilitate partnerships with relevant agencies for the continued development of integrated policies in order to reinforce the character, cultural significance and tourism potential of the historic areas in the city (FC29).

**Archaeology**

- To promote the in-situ preservation of archaeology as the preferred option where development would have an impact on buried artefacts, except where other alternatives are acceptable or exceptional circumstances are determined by the relevant statutory agencies. Where preservation in situ is not feasible, sites of archaeological interest shall be subject to archaeological investigations and recording according to best practice, in advance of redevelopment (FC64)
- To recognise the importance of underwater/intertidal archaeology (FC67)
- To include those structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures. To protect these structures, their curtilage and the setting from any works that would cause loss or damage to their special character (FC30)
- To designate Architectural Conservation Areas where the Planning Authority is of the opinion that their inclusion is necessary for the preservation of the character of an area (FC39).

**4.3.2 Fingal County Council Development Plan 2011 - 2017**

The planning policy for FCC is set out in the Fingal County Council Development Plan (CDP) 2011 – 2017. Objectives and policies within this document that are relevant to the proposed development from a planning perspective and each environmental topic defined in the EIA Directive are summarised hereunder.

**Land uses**

Within Fingal County Council's jurisdiction, the proposed pipeline will be installed in the vicinity of various land uses such as general enterprise and employment, office based, research and development and high technology type employment areas and green belt areas before crossing into the Dublin Airport Zone.

A local objective has also been included in the Plan which is directly related to the proposed pipeline development:

- Local Objective 399 - Support the construction of an oil pipeline from Dublin Port to provide fuel service to Dublin Airport.

Other specific land use objectives that may be pertinent to the proposed development include:

- Local Objectives 423, 430, 432, 442 – A masterplan area, in the Clonshaugh area just north of the Northern Cross Route East:
  - *Local Objective 423*: Provide for in the Masterplan, office based, research and development, and high technology type employment, and facilitate hotel with ancillary dancehall and public house uses, education, petrol station, and uses to support the significant local employment base such as restaurant, cafes and childcare uses.
  - *Local Objective 430*: Facilitate the provision of public transport to the lands north of the M50 Extension.
  - *Local Objective 432*: Prepare a masterplan for these lands and ensure that development is phased having regard to the capacity of the road network.
  - *Local Objective 442*: Any development within the flood plain of the Mayne River to be restricted in accordance with the recommendation of the Greater Dublin Strategic Drainage Study and the Flood Study of the Mayne River carried out as part of the GSDSDS.
- Proposed road development of the East-West Distributor Road: Malahide Road to Clonshaugh Road and the realignment of the R107 Malahide Road
- *Local Objective 378*: Consider within the context of the Masterplan, the nature and scale of appropriate HT uses and enterprise centre related to aviation and airport business, research and development associated with airports or aviation and air transport infrastructure, having regard to the sites strategic location within the Dublin Airport Authority lands.

The key strategic objective for Dublin Airport includes:

- Objective 9 - Safeguard the current and future operational, safety, and technical requirements of Dublin Airport and provide for its ongoing development within a sustainable development framework.

### **Landscape**

- GI39 – Protect areas of high landscape quality including Special Amenity Areas, High Amenity zoned lands, and Highly Sensitive Landscapes identified on the Development Plan Green Infrastructure Maps
- GI40 – Protect views and prospects identified on the Development Plan Green Infrastructure Maps and Development Plan Zoning Maps
- GI41 – Ensure green infrastructure provision responds to and reflects landscape character including historic landscape character, conserving, enhancing and augmenting the existing landscapes and townscapes of Fingal which contribute to a distinctive sense of place.

### **Archaeological and Architectural Heritage**

- AH05 - Endeavour to preserve in situ all archaeological monuments, whether on land or underwater, listed in the Record of Monuments and Places (RMP), and any newly discovered archaeological sites, features, or objects by requiring that archaeological remains are identified and fully considered at the very earliest stages of the development process, that schemes are designed to avoid impacting on the archaeological heritage and that an archaeological impact assessment is submitted as part of the planning application documentation
- AH12 - Review the Record of Protected Structures on an on-going basis and add structures of special interest as appropriate, including significant elements of industrial, maritime or vernacular heritage and any twentieth century structures of merit.

### **Physical Infrastructure - Dublin Airport and Dublin Port**

- TO39 –Facilitate the operation and future development of Dublin Airport recognising its role in the provision of air transport, both passenger and freight
- TO40 – Ensure access to Dublin Port, recognising its role in the provision of maritime transport, both passenger and freight

### Surface Water and Flood Risk Management

- SW01 – Protect and enhance the County’s floodplains, wetlands and coastal areas subject to flooding as vital green infrastructure which provides space for storage and conveyance of floodwater, enabling flood risk to be more effectively managed and reducing the need to provide flood defences in the future
- SW02 – Allow no new development within floodplains other than development which satisfies the justification test, as outlined in the Planning System and Flood Risk Management Guidelines 2009 for Planning Authorities, within well-established towns
- SW03 - Identify existing surface water drainage systems vulnerable to flooding and develop proposals to alleviate flooding in the areas served by these systems
- EE63 - Ensure that every development proposal in the environs of the Airport takes into account the impact on water quality, water-based habitats and flooding of local streams and rivers
- GI28 - Ensure the protection, improvement or restoration of riverine floodplains and coastal areas subject to flooding
- SW06 - Implement the Planning System and Flood Risk Management-Guidelines for Planning Authorities (DoEHLG/OPW 2009).

### Water Quality

- WQ01 – Maintain, improve and enhance the environmental and ecological quality of our surface waters and groundwaters by implementing the Programme of Measures contained in the Eastern River Basin District (ERBD) River Basin Management Plan 2009-2015
- WQ02- Protect and develop, in a sustainable manner, the existing groundwater sources and aquifers in the County and control development in a manner consistent with the proper management of these resources in conformity with the ERBD River Basin Management Plan 2009-2015 and the Groundwater Protection Scheme
- WQ03 – Implement the recommendations of the Groundwater Protection Scheme
- WQ04 – Protect existing riverine wetland and coastal habitats and where possible create new habitats to maintain naturally functioning ecosystems
- WQ05 – Establish riparian corridors free from new development along all significant watercourses in the County. Ensure a 10 to 15 metre wide riparian buffer strip measured from top of bank either side of all watercourses except in respect of the Liffey, Tolka, Pinkeen, Mayne, Sluice, Ward, Broadmeadow, Corduff, Matt and Delvin Rivers where a 30 m wide riparian buffer strip from top of bank to either side of all watercourses outside urban centres is required.

### Air, Noise and Light

- AQ01 – Implement the provisions of national policy and air pollution legislation in conjunction with other agencies as appropriate.
- LP01 – Require that the design of external lighting minimises the incidence of light spillage or pollution into the surrounding environment. New schemes shall ensure that there is no unacceptable adverse impact on neighbouring or nearby properties or on the surrounding countryside, there is no dazzling or distraction to road users including cyclists, equestrians and pedestrians and road and footway lighting meets Council standards.
- NP01 – Require all developments to be designed and operated in a manner that will minimise and contain noise levels. Where appropriate, the Council will apply conditions on new developments/uses that may restrict noise emissions and hours of operation such that the development does not cause any significant increase in the background noise level of nearby existing noise sensitive properties. Noise sensitive developments in noisy areas should incorporate measures to reduce the exposure to acceptable levels.

### Ecology - Biodiversity and Conservation

- GI10 - Require all Local Area Plans to protect, enhance, provide and manage green infrastructure in an integrated and coherent manner addressing the five GI themes set out in the Development Plan – Biodiversity, Parks, Open Space and Recreation, Sustainable Water Management, Archaeological and Architectural Heritage, and Landscape
- GI11 - Require all new development to contribute to the protection and enhancement of existing green infrastructure and the delivery of new green infrastructure, as appropriate

- GI15 - Protect the Fingal Ecological Network, including Natura 2000 sites, and ensure its sustainable management
- GI16 - Ensure that green infrastructure provision and management does not lead to the spread of invasive species
- GI17 - Integrate provision for biodiversity with public open space provision and sustainable water management measures (including SuDS) where possible and appropriate.
- GI33 - Protect and enhance environmental conditions and water quality for existing rivers, streams, associated wetlands and groundwaters, in accordance with the requirements of the Water Framework Directive.
- GI34 - Ensure that the creation of SuDS features and associated enhancement of wetlands reflects and enhances landscape character.

### Infrastructure projects

*Physical Infrastructure - Dublin Airport and Dublin Port:*

Objective TO39 - Facilitate the operation and future development of Dublin Airport recognising its role in the provision of air transport, both passenger and freight.

#### *Green Infrastructure*

Green infrastructure is described as the interconnected networks of land and water all around us that sustain environmental quality and enrich our quality of life. This includes the nature conservation areas, parks, open space, rivers, floodplains, wetlands, woodlands, farmland and coastal areas found throughout Fingal. Specific objectives relevant to the proposed development include:

- GI02: Ensure the green infrastructure strategy for Fingal protects existing green infrastructure resources and plans for future green infrastructure provision which addresses the five main themes identified in this Plan, namely:
  - Biodiversity
  - Parks, Open Space and Recreation
  - Sustainable Water Management
  - Archaeological and Architectural Heritage
  - Landscape.
- GI03 – Ensure the green infrastructure strategy for Fingal reflects a long-term perspective, including the need to adapt to climate change
- GI04 – Ensuring the protection of Fingal’s Natura 2000 sites is central to Fingal County Council’s Green Infrastructure Strategy and policy and ensure the protection of these sites is facilitated through Habitats Directive Appropriate Assessment of all plans and projects that are likely to have a significant effect on the Conservation Objectives of these sites
- GI07 – Resist development that would fragment or prejudice the County’s strategic green infrastructure network
- Objective GI14 – Ensure biodiversity conservation and/or enhancement measures, as appropriate, are included in all proposals for new development
- GI18 – Maximise the use and potential of existing parks, open space and recreational provision, both passive and active by integrating existing facilities with proposals for new development and by seeking to upgrade existing facilities where appropriate
- GI28 – Ensure the protection, improvement or restoration of riverine floodplains and coastal areas subject to flooding
- GI29 – Ensure the protection of streams, rivers, watercourses and their corridors maintaining a riparian strip of 10-15m along all watercourses and a 30 m corridor along the rivers indicated on the Development Plan Green Infrastructure Maps outside urban areas
- GI33 – Protect and enhance environmental conditions and water quality for existing rivers, streams, associated wetlands and groundwaters.

In this EIS, impacts on biodiversity associated with the proposed development are assessed and mitigation measures are identified to ensure compliance with the Development Plan policies. A Stage 2 NIS was also undertaken and is included with the planning documentation submitted as part of the overall development.

### 4.3.3 Dublin Airport Local Area Plan (LAP)

The role of this plan is to provide the optimal future development strategy for the Designated Airport Area whilst ensuring the efficient and effective operation of same.

The LAP states that "the number of passengers using Dublin Airport has increased from 2 million passengers per annum (mppa) in 1982 to over 18 mppa by the end of 2005 and predictions indicate that by 2025 Dublin Airport will handle some 38 million passengers. This will increase the number of aircraft movements from 2003 levels of some 166,000 movements to some 304,000 movements per annum".

To handle this increase in passengers and aircraft movements, the airport area will be developed by a number of new proposals, including a proposal to increase the capacity of the existing tank farm to provide for future fuel demands.

Further objectives and policies within this document that are relevant to the proposed development include objectives on maintaining water quality and protecting heritage. The surface water objectives with respect to flood risk are as follows:

SW4 - To develop and implement a storm water management system following the principle of Sustainable Urban Drainage and in compliance with the recommendations of the Greater Dublin Strategic Drainage Study in respect of new development and re-development of "brownfield" sites, to *inter alia* attenuate runoff to pre-development green field rates.

SW5 - To implement, in respect of existing developments where practicable, recommendations arising from flood impact assessments under Objective WDO34 of the Fingal Development Plan 2005–2011, within the lifetime of this Masterplan (Objective WDO34 To develop flood impact assessments for the minor rivers of Fingal including the Matt (Balbriggan), Ward (Swords), Sluice (Kinsealy & Baldoyle) and Mayne (Baldoyle) and for the Donabate Peninsula).

### 4.3.4 Dublin Docklands Area Master Plan 2008

The Dublin Docklands area includes the proposed pipeline route corridor along East Wall Road. The lands to the north of this road are mainly zoned as enterprise and employment centres while the lands south of this road are mainly zoned as residential and amenity.

The overall objective of this master plan is to secure the sustainable social and economic regeneration of the area, with improvements to the physical environment being a vital ingredient.

Specific land use objectives in the vicinity of the proposed pipeline are the:

- East Wall Road Priority cycle route
- Integrated S2S/Docklands Cycle Network
- Interconnector road.

The Plan recognises the negative effect of transport on the environment and supports the promotion of sustainable transport in the docklands area.

### 4.3.5 Dublin City Biodiversity Action Plan 2008-2012

Urban development in recent times has caused the decline in the variety and extent of natural systems. This Plan recognises that the loss of biodiversity is an issue of serious concern. Therefore, it is necessary to improve the management of nature to protect our natural heritage, habitats, plants and wildlife. Biodiversity can also provide other environmental services such as pollution control, flood attenuation and erosion prevention.

The Dublin City Biodiversity Action Plan includes a summary of the range of priority habitats and species of international, national and local importance in the city. The main content of the plan is a programme of actions recommended to protect and enhance the city's natural heritage. In this action plan, protected areas in close proximity to the proposed development include the Tolka River and Dublin Bay. Dublin Bay is designated as a proposed Natural Heritage area (pNHA) and Special Protection Area (SPA).

Dublin city waterways including the Tolka support a significant wildlife resource including otters, bats, Atlantic Salmon, Brown Trout, Sea Trout and Kingfisher. All of these waterways and their associated riparian/edge vegetation provide important feeding and commuting corridors for a range of species. Dublin Bay (Sandymount Strand/Tolka Estuary) is of great ornithological importance, being of international importance for Brent Goose and of national importance for six other waterfowl species. Impacts on flora and fauna and on these designated areas will be assessed within this EIS and mitigation measures will be outlined to minimise impacts on these areas, if applicable.

#### 4.3.6 Climate Change Strategy For Dublin City 2008-2012

DCC has prepared a climate change strategy for the city focusing on five areas namely; energy, planning, transport, waste management and biodiversity with specific actions and key performance indicators being set for each area. Specific actions that relate to this proposed development are:

- Promote overall sustainability in developments and not only focus on individual areas
- Promote a shift to rail freight transport
- Promote mobility management plans and more sustainable modes of transport.

### **4.4 The Development & its Compliance with Policy**

The proposed development will deliver an essential product, aviation fuel, to Dublin Airport. It is designed to cater not only for current needs but also for the further demands of Ireland's capital airport.

The pipeline will support the function of Dublin airport as a regional and national transport hub for passengers and goods through the provision of a long term sustainable and efficient means of fuel supply. It will offer a significantly more secure supply than the current method of tanker delivery. As Dublin Airport's current reserve fuel capacity is one day (at peak demands) the security of delivery is critical for the guaranteed operation of the airport.

The policy document *A Platform for Change – An Integrated Transportation Strategy for the Greater Dublin Area* makes a number of references to improving transport safety and ameliorating direct environmental effects of transport. This proposal will have significant benefits by having the potential to remove over 15,000 HGVs (or 30,000 trips) per year (based on current demands) from the public network and the Port Tunnel which has both environmental and safety benefits.