

An
Bord
Pleanála

Board Direction
BD-018456-24
ABP-320608-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/12/2024.

The Board decided to DIRECT the local authority to prepare an Environmental Impact Assessment Report in respect of the proposed development, generally in accordance with the Inspector's recommendation, for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to:

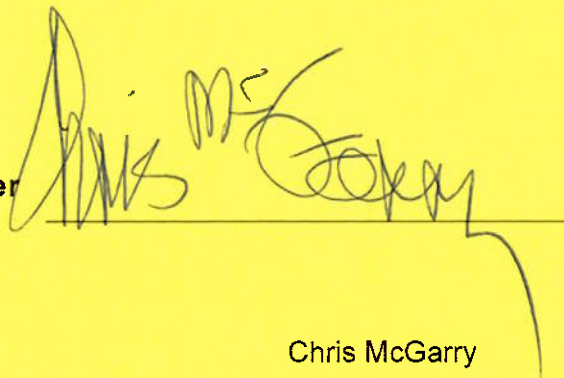
- (a) the provisions of Section 179 of the Planning and Development Act, 2000, as amended and Article 120 (3)(b) of the Planning and Development Regulations, 2001, as amended,
- (b) the provisions of Section 50 of the Roads Act, 1993, as amended and Article 8 of the Roads Regulations, 1994, as amended,
- (c) Schedule 5, Article 93 of the Planning and Development Regulations, 2001, as amended,
- (d) Annex III of the European Union Environmental Impact Assessment Directive 2014/52/EU,
- (e) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives),

- (f) the submissions requesting an Environmental Impact Assessment Screening Determination by the Board,
- (g) the ecological sensitivity of the receiving environment, particularly with respect to the nationally significant population of Mute Swans for the Bray Harbour area and the risk of collision with the proposed bridge,
- (h) the nature and characteristics of the proposed project (specifically with reference to the height and design of the proposed bridge), which while below the threshold for mandatory Environmental Impact Assessment, have associated environmental effects upon the receiving environment that are likely to be significant and have not been effectively reduced, or demonstrated to be insignificant or otherwise reversible, and
- (i) the report and recommendation of the Board's Inspector,

it is considered that there are likely significant negative effects on the environment arising from the proposed Bray Sustainable Transport Bridge, link road and associated works and an Environmental Impact Assessment Report is required.

NOTE: While a site-specific Flood Risk Assessment has been submitted for the project, the information it contains is considered to be imprecise. For the Board to carry out the required sequential approach and justification test set out under the flood risk management guidelines, it would require reliance upon the information set out in the final report submitted with the application. While this in itself does not trigger a need for Environmental Impact Assessment, it is recommended that this matter be updated prior to progressing to the next planning stage for the project.

Board Member

A handwritten signature in black ink, appearing to read 'Chris McGarry', is written over a horizontal line. The signature is stylized and cursive.

Date: 13/12/2024

Chris McGarry