



An
Bord
Pleanála

Board Direction
BD-004912-20
ABP-305335-19

At a meeting held on 15/01/2020, the Board considered the submissions made in respect of the proposed development of 86 dwelling units in six blocks, a community facility and all associated site works and service connections at Croker's Hill, Kennyswell Road, Kilkenny, the report of the Inspector and the documents and submissions on file generally.

The Board decided, generally in accordance with the Inspector's recommendation, not to direct the local authority to prepare an environmental impact assessment report in respect of the proposed development, based on the following reasons and considerations.

Reasons and Considerations

Having regard to:

- (a) the provisions of Schedule 5 and Schedule 7 and the requirements under Schedule 7A of the Planning and Development Regulations 2001, as amended,
- (b) the nature, scale and location of the proposed development,
- (c) the provisions of Directive 2014/52/EU, amending Directive 2011/92/EU, on the assessment of the effects of certain public and private projects on the environment,
- (d) the guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development" issued by the

Department of the Environment, Heritage and Local Government in August 2003, and the guidance document, "Interpretation of definitions of certain project categories of Annex I and II of the EIA Directive", published by the European Commission in 2015, and

(e) the submissions made in this case by the applicant for screening determination and by the Kilkenny County Council,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact report is not therefore required.

it is considered that the proposed development would be a sub-threshold development for the purposes of Environmental Impact Assessment, having regard to the classes of development set out under Class 10 of Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and that by itself, and in combination with other development in the vicinity, would not be likely to have significant effects on the environment and that, consequently, the preparation and submission of an environmental impact assessment report is not required.

Board Member:

Date: 15/01/2020

Dave Walsh