

An
Bord
Pleanála

Board Direction
BD-010362-22
ABP-312302-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/03/2022.

The Board decided not to direct the local authority to prepare an Environmental Impact Assessment Report in respect of the proposed Passage Railway Greenway Improvement Scheme Phase 2, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to:

- (i) the information provided by the Road Authority to An Bord Pleanála;
- (ii) the Roads Act, 1993 (as amended);
- (iii) Annex III of EU Directive 2014/52/EU of 16th April 2014, amending Directive 2011/92/EU (the EIA Directive) on the Assessment of the Effects of Certain Public and Private Projects on the Environment;
- (iv) the document 'EIA of Projects - Guidance on Screening' (2017), issued by the European Commission;
- (v) the document 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development' issued by the Department of Environment, Heritage and Local Government in August 2003,

(vi) the ecological sensitivity of the receiving environment, including Cork Harbour SPA (Site Code: 004030) and the Douglas River Estuary pNHA (Site Code: 001046);

(vii) the nature, scale and characteristics of the proposed improvement works to the existing greenway development, including construction works;

(viii) The characteristics of potential impacts, including, in particular those of biodiversity, water, cultural heritage and population (including land take);

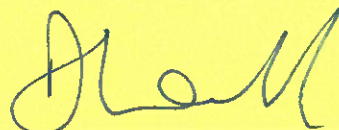
(ix) The limited potential for significant impacts arising from the proposed development; and

(x) the report and recommendation of the Board's Inspector.

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 Assessment Report is not, therefore, required.

It is considered that the impacts likely to arise including potential impacts on European Sites and the likely consequences for the proper planning and sustainable development of the area arising from impacts on biodiversity, water, cultural heritage and the local population can be addressed in a Section 177AE application to the Board.

Board Member:



Date: 25/03/2022

Dave Walsh