



An  
Bord  
Pleanála

## Board Order ABP-303499-19

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**Roads Acts, 1993 to 2015**

**Planning and Development Acts, 2000 to 2018**

**Planning Authority: South Dublin County Council**

**Application** received by An Bord Pleanála from Declan Doogue of 12 Glasilawn Road, Dublin requesting it to exercise its powers under article 120(3)(a) of the Planning and Development Act 2000, as amended, to direct the road authority to prepare an environmental impact assessment report in respect of the proposed Grand Canal Greenway – Hazelhatch to 12<sup>th</sup> Lock.

### **Decision**

**Not to Direct the road authority to prepare an environmental impact assessment report in respect of the above proposed road development based on the reasons and considerations set out below.**

### **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

## Reasons and Considerations

Having regard to:

- (a) the Roads Act 1993, as amended, and the Roads Act 2007,
- (b) the location of the site on lands that are zoned for Open Space use in the South Dublin County Development Plan, 2016-2022 and the Kildare County Development Plan 2017-2023, and the results of the strategic environmental assessments of these plans undertaken in accordance with the requirements of the SEA Directive,
- (c) the nature, scale and location of the proposed development in a rural area and along an existing canal towpath,
- (d) the proposed retention of existing trees, hedgerows and vegetation along the canal,
- (e) the design and construction methodology response to the natural heritage along the canal,
- (f) the design and construction methodology response to the protected structures along the canal,
- (g) the absence of a connection to any designated European Sites,
- (h) the submissions made, including that of South Dublin County Council and to the Part 8 Preliminary Design Report submitted,

- (i) 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,
- (j) the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, and
- (k) the report and recommendation of the 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.

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**Paul Hyde**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this          day of          2019**