



An
Bord
Pleanála

Board Order ABP-305740-19

Roads Acts, 1993 to 2015

Planning and Development Acts, 2000 to 2019

Planning Authority: Donegal County Council

Application received by An Bord Pleanála from Donegal County Council requesting it to exercise its powers under section 50(1)(b) of the Roads Act, 1993, as amended, to direct the road authority to prepare an environmental impact assessment report in respect of the proposed North West Greenway Project – Route 1.

Decision

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 information provided by the Road Authority to the Board,
- (b) the Roads Act, 1993, as amended,
- (c) Annex III of EU Directive 2014/52/EU, amending Directive 2011/92/EU (the EIA Directive) on the Assessment of the Effects of Certain Public and Private Projects on the Environment,
- (d) the document 'EIA of Projects - Guidance on Screening' (2017) issued by the European Commission,
- (e) the document '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,
- (f) the ecological sensitivity of the receiving environment, including Lough Swilly Special Protection Area (site code: 004075), Lough Swilly Special Area of Conservation (site code: 002287), Lough Swilly, including Big Isle, Blanket Nook and Inch Lake proposed Natural Heritage Area and the Inch Levels Wildfowl Reserve,
- (g) the nature, scale and characteristics of the proposed greenway development, including significant construction works in ecologically, environmentally and visually sensitive coastal areas,
- (h) the characteristics of the potential environmental impacts on biodiversity, water, landscape and visual amenities, cultural heritage, and land/material assets, including agricultural severance, and
- (i) the report and recommendation of the Board's Inspector,

it is considered that the potential for significant adverse effects on the environment arising from the proposed greenway development cannot be ruled out and, accordingly, that the preparation of an environmental impact assessment report is required.

Dave Walsh

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

Dated this day of 2020