



Planning and Development Acts, 2000 to 2020

Planning Authority: Fingal County Council

Application by Sarah Karbowski and Sean McBride and others requesting An Bord Pleanála to exercise its powers under article 250(3)(b) of the Planning and Development Regulations, 2001, as amended, whether Fingal County Council should be directed to prepare a Natura impact statement in respect of the proposed development below:-

Proposed Development: The construction of 62 number residential units comprising (i) 10 number two storey two bed houses; (ii) 38 number two storey three bed houses; (iii) seven number three bed duplex units over seven number two bed apartment units. All associated site development works including: (i) demolition of a derelict bungalow; (ii) new street connection to Old Road and associated footpaths internally and an Old Road frontage; (iii) new vehicular and pedestrian crossing of Horestown Stream; (iv) provision of nine number on-street car parking spaces and 116 number off-street car parking spaces; (v) construction of, and remedial works to, boundaries to adjacent sites, comprising walls and fencing; (vi) provision of front and rear gardens to houses, and of screened terraces to first floor duplex units; (vii) hard landscaping and soft landscaping to public open space areas, including playground, natural and informal play areas, and riparian strip to Horestown Stream; (viii) installation of foul and surface water (including SuDS elements), other underground services and public lighting; (ix) connection to public utilities and services at Old Road, Hayestown, Rush, County Dublin.

Decision

Direct the local authority not to prepare a Natura impact statement in respect of the proposed 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 nature and limited scale of the proposed development,
- (b) the identified capacity in the Waste Water System to cater for the discharges associated with the development,
- (c) the submissions made on behalf of the local authority, including the Appropriate Assessment Screening Report dated the 6th day of November 2020, and
- (d) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter,

it is considered reasonable to conclude that on the basis of the information available, which is considered adequate to issue a screening determination, that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on Rogerstown Estuary Special Area of Conservation (Site Code: 000208) or Rogerstown Estuary Special Protection Area (Site Code: 004015), or any other European site in view of the sites' conservation objectives and that a Stage 2 Appropriate Assessment and the submission of a Natura impact statement for the proposed development is not, therefore, required.

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

Dated this day of 2021