



An
Bord
Pleanála

Board Order ABP-309155-21

Planning and Development Acts, 2000 to 2020

Planning Authority: Fingal County Council

Application by Sarah Karbowski, Paul and Julie Gillen and Sean McBride and others, requesting An Bord Pleanála to consider and determine, in accordance with its powers under article 120(3)(a) of the Planning and Development Regulations, 2001, as amended, whether Fingal County Council should be directed to prepare an Environmental Impact Assessment Report in respect of the proposed development as 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

NOT TO DIRECT the local authority to prepare an Environmental Impact Assessment Report in respect of the said 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 the following:

- (a) the criteria set out under Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended,
- (b) the location of the site on lands that are zoned for residential use under the provisions of the Fingal County Development Plan 2017-2023 and the results of the Strategic Environmental Assessment of these plans undertaken in accordance with the SEA Directive (2001/42/EC),
- (c) the nature, scale and location of the proposed development on a part brownfield site in a suburban area, served by public infrastructure,
- (d) the pattern of development in the vicinity,
- (e) the design and construction methodology response to the natural heritage in the surrounding area,

- (f) the location of the site outside of any sensitive location specified in Article 109(4)(a) of the Planning and Development Regulations, 2001, as amended,
- (g) 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 (2003),
- (h) the submission of the planning authority, and
- (i) 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, accordingly, that the preparation and submission of an Environmental Impact Assessment Report is not, therefore, required.

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

Dated this day of 2021