



An
Bord
Pleanála

Board Order ABP-312302-21

Roads Acts, 1993 to 2015

Planning and Development Acts, 2000 to 2021

Planning Authority: Cork City Council

Application received by An Bord Pleanála from Cork City Council requesting it to exercise its powers under section 50(1)(b) of the Roads Act, 1993, as amended, seeking a direction from An Bord Pleanála as to whether or not the proposed Passage Railway Greenway Improvement Scheme Phase II, Mahon to Passage West, County Cork requires the preparation of an environmental impact assessment report.

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 the following:

- (a) the information provided by the road authority to An Bord Pleanála,
- (b) the Roads Act, 1993, as amended,
- (c) 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,
- (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 Environment, Heritage and Local Government in August 2003,
- (f) the ecological sensitivity of the receiving environment, including the Cork Harbour Special Protection Area (Site Code: 004030) and the Douglas River Estuary proposed Natural Heritage Area (Site Code: 001046),
- (g) the nature, scale and characteristics of the proposed improvement works to the existing greenway development, including construction works,
- (h) the characteristics of potential impacts, including, in particular, those of biodiversity, water, cultural heritage and population (including proposed land-take),
- (i) the limited potential for significant impacts arising from the proposed road development, and
- (j) the report and recommendation of the Board's Inspector,

it is considered that the proposed road 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.



Dave Walsh

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

Dated this *28th* day of *March* 2022