



An
Bord
Pleanála

Board Order ABP-317506-23

Planning and Development Acts, 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Application by John Phelan, 1 Woodlands Road, Glenageary, County Dublin, requesting An Bord Pleanála to consider and determine, in accordance with its powers under article 120(3)(c) of the Planning and Development Regulations, 2001, as amended, whether Dun Laoghaire-Rathdown County Council should be directed to prepare an Environmental Impact Assessment Report in respect of the proposed Deansgrange Stream Flood Relief Scheme, at Deansgrange, County Dublin.

DECISION

Direct the local authority not to prepare an Environmental Impact Assessment Report in respect of the said proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to:

- a) the nature and scale of the proposed development, which is significantly under the threshold in respect of Class 10(f)(ii); infrastructure: (Canalisation and flood relief works) of the Planning and Development Regulations 2001, (as amended),
- b) the location of the site on lands used for infrastructure and open space and within an existing urban area, and along a watercourse that has been substantially altered with minimal remaining natural habitat,
- c) the location of the lands in an area served by public infrastructure and the existing pattern of development in the vicinity,
- d) 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) and the absence of any relevant connectivity to any sensitive location,
- e) the separation distance between the site and any sites of cultural or habitat importance,
- f) the guidance set out in Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development, issued by the Department of the Environment, Heritage, and Local Government (2003), and,
- g) the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, (as amended),

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.


Una Crosse

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

Dated this 19th day of April 2024