



An  
Bord  
Pleanála

## Board Order ABP-320608-24

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**Planning and Development Acts, 2000 to 2022**

**Planning Authority: Wicklow County Council**

**APPLICATION** by Dave McFarlane of 38 Seapoint Court, Bray, County Wicklow, and others, requesting An Bord Pleanála to consider and determine, in accordance with its powers under article 120(3)(cc) of the Planning and Development Regulations, 2001, as amended, whether Wicklow County Council should be directed to prepare an Environmental Impact Assessment Report in respect of the proposed construction of the Bray Sustainable Transport Bridge, link road, and associated works in the townlands of Bray, Bray Commons, and Ravenswell, County Wicklow.

### DECISION

**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.

## REASONS AND CONSIDERATIONS

Having regard to:

- (a) the provisions of Section 179 of the Planning and Development Act, 2000, as amended and Article 120 (3)(b) of the Planning and Development Regulations, 2001, as amended,
- (b) the provisions of Section 50 of the Roads Act, 1993, as amended and Article 8 of the Roads Regulations, 1994, as amended,
- (c) Schedule 5, Article 93 of the Planning and Development Regulations, 2001, as amended,
- (d) Annex III of the European Union Environmental Impact Assessment Directive 2014/52/EU,
- (e) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives),
- (f) the submissions requesting an Environmental Impact Assessment Screening Determination by the Board,
- (g) the ecological sensitivity of the receiving environment, particularly with respect to the nationally significant population of Mute Swans for the Bray Harbour area and the risk of collision with the proposed bridge,
- (h) the nature and characteristics of the proposed project (specifically with reference to the height and design of the proposed bridge), which while below the threshold for mandatory Environmental Impact Assessment, have associated environmental effects upon the receiving environment that are likely to be significant and have not been effectively reduced, or demonstrated to be insignificant or otherwise reversible, and
- (i) the report and recommendation of the Board's Inspector,

it is considered that there are likely significant negative effects on the environment arising from the proposed Bray Sustainable Transport Bridge, link road and associated works and an Environmental Impact Assessment Report is required.



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

Dated this 16<sup>th</sup> day of December 2024