



An  
Bord  
Pleanála

# Inspector's Report

## ABP-317708-23

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<b>Development</b>	Part 8 - Proposed development of a Skate Park
<b>Location</b>	Ballywaltrim, Southern Cross Road, Ballywaltrim, Bray, Co. Wicklow
<b>Planning Authority</b>	Wicklow County Council
<b>Type of Application</b>	Environmental Impact Assessment (EIA) Screening Determination (Application under Article 120 (3) (b) of the Planning and Development Regulations 2001, as amended)
<b>Applicant</b>	Paul Murray
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	23 <sup>rd</sup> October 2023
<b>Inspector</b>	Liam Bowe

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## 1.0 Introduction

- 1.1. Under the provisions of Article 120 (3) (b) of the Planning and Development Regulations 2001, as amended (PDR) an application for an Environmental Impact Assessment (EIA) Screening Determination was made to An Bord Pleanála (the Board) as to whether the development of a skate park by Wicklow County Council (WCC) at Ballywaltrim Southern Cross Road, Ballywaltrim, Bray, Co. Wicklow would be likely to have significant effects on the environment.
- 1.2. The proposed development is a local authority development and is being applied for under Part XI of the Planning and Development Act 2000, as amended (PDA), and Part XIII of the PDR. It is not a direct planning application to the Board.
- 1.3. A third party has made an application under the provisions of Article 120 (3) (b) requesting the Board to make an EIA Screening Determination. WCC is of the opinion that the proposed development would not likely have significant effects on the environment and an EIA is not required. This is evidenced in an EIA Screening Report submitted to the Board. The applicant questions this conclusion and contends that the proposed development would likely have significant effects on the environment.

## 2.0 Site Location and Description

- 2.1. The site of the proposed skate park is located at Ballywaltrim Southern Cross Road, Ballywaltrim, Bray, Co. Wicklow.
- 2.2. The site is currently comprised of a hardstanding area accommodating a car park and a bring bank comprising 9 no. recycling bins for bottles. There is a low metal fence along the northeastern and northwestern boundaries of the application site and some existing trees and vegetation/ hedging along the boundaries of the site. There is a pedestrian link/ path to the playing pitches to the rear/ northwest of the application site.
- 2.3. The application site is within an overall area known as Bray Sports and Leisure Centre with a swimming pool and sports centre with Astro pitches to the north, playing pitches to the northwest, hard courts to the southwest and a playground further to the southwest. There is a residential development further to the southwest

again, known as Giltspur Heights. The application site shares the access road (30kph) with this residential development from the Southern Cross Road (60kph). There is some public car parking available to the southwest opposite the hard courts and playground. Deepdale residential development is also located to the south of the application site on the opposite side of the busy Southern Cross Road.

### **3.0 Proposed Development**

3.1. The proposed development includes:

- i. The construction of a concrete skate park (30m x 14m).
- ii. Associated skate features and furniture.
- iii. The relocation of the existing bring facility (bottle banks).

The details of the proposed development are set out in the Part XIII Public Notice.

3.2. On 31<sup>st</sup> July 2023 the Board received a request for an EIAR Direction for the proposed development. The application is supported by a cover letter.

3.3. The following documents were submitted by WCC following the third-party application under Article 120 (3) (b):

- Cover Letter dated 18<sup>th</sup> October 2023
- Newspaper Notice
- Site Notice
- Site Location Map
- Site Layout Map
- Associated Drawings
- Noise Impact Assessment dated May 2023
- Preliminary Examination Report for EIA
- AA Screening Report dated June 2023

## 4.0 Policy and Context

### 4.1. Wicklow County Development Plan 2022-2028 (WCDP)

4.1.1. Bray is the largest town in County Wicklow and the town has a population of 29,646 (Census 2016). Within the Wicklow Settlement Strategy, Bray is recognised as a Key Town and a large economically active service town that provides employment for the surrounding areas and with high-quality transport links and the capacity to act as a growth driver to complement the Regional Growth Centres.

4.1.2. The WCDP states that the RSES requires that the development plan 'provide for the development of dedicated youth spaces in key urban areas and the development of multifunction spaces in smaller communities / rural areas.' Depending on the age, there are a number of facilities that are considered attractive to teenagers and young adults including Mixed-Use Games Areas (MUGAs), which would typically provide a hard-surfaced area allowing for basketball and other hard court sports, skate parks and youth clubs.

### 4.2. Bray Municipal District Local Area Plan 2018 – 2024 (LAP)

4.2.1. The site has a land use zoning of 'CE – Community & Education' per the land use zoning map in the LAP (Bray Town & Environs Map No.: 2 refers). The objective of the land use zoning is 'to provide for civic, community and educational facilities', which is to be achieved by facilitating the development of necessary community, health, religious, educational, social and civic infrastructure.

4.2.2. Uses generally appropriate for community and educational zoned land include community, educational and institutional uses include burial grounds, places of worship, schools, training facilities, community hall, nursing homes, health related developments, sports and recreational facilities, utility installations and ancillary developments for community, educational and institutional uses in accordance with the WCDP.

### 4.3. Natural Heritage Designations

4.3.1. The nearest designated natural heritage sites are the Bray Head SAC (Site Code: 000714), Ballyman Glen SAC (Site Code: 000713) and Knocksink Wood SAC (Site Code: 000725), located c.2.5km to the east, c.2.4km to the north and c.3.2km to the northwest, respectively.

- 4.3.2. The Dargle River Valley pNHA (Site Code: 001754) and the Great Sugar Loaf pNHA (Site Code: 001769) are located c.1.5 to the west and c.2.1km to the southwest, respectively.

## 5.0 Legislation

- 5.1. Annex I to Directive 2011/92/EU as amended by Directive 2014/52/EU requires as mandatory the preparation of an EIA for all projects listed therein. Projects listed in Annex II to the Directive are not automatically subjected to EIA. Member States can decide to subject them to an assessment on a case-by-case basis or according to thresholds and/or criteria (for example size, location, sensitive ecological areas and potential impact).
- 5.2. The European Union (Planning and Development) (EIA) Regulations 2018 (S.I. No. 296/2018) amended the PDA and the PDR in order to transpose into Irish Law the provisions of Directive 2014/52/EU.
- 5.3. In Ireland, Schedule 5 (Part 1 and Part 2) of the PDR, transposes Annex I and Annex II of the amended EIA Directive. Schedule 7 sets out the criteria for determining whether a development would or would not be likely to have significant effects on the environment, under three headings: characteristics of the proposed development; location of the proposed development; types and characteristics of potential impacts.
- 5.4. Screening is the term used to describe the process for determining whether a proposed development requires an EIA by reference to mandatory classes of development and legislative threshold requirements or by reference to the type and scale of the proposed development and the significance or the environmental sensitivity of the receiving baseline environment set out in Schedule 7.
- 5.5. In this instance, an application has been made under Article 120 (3) (b) of the PDR where it states that any person at any time before the expiration of 4 weeks beginning on the date of publication of the notice may apply to the Board for a screening determination as to whether a development proposed to be carried out by a local authority under Part XIII would be likely to have significant effects on the environment.

## 6.0 Wicklow County Council Preliminary Examination for EIA

6.1. On foot of the request for a direction from the Board as to whether or not the proposed skate park would be likely to have significant effects on the environment, necessitating the preparation of an environmental impact assessment report, Wicklow County Council submitted a 'Preliminary Examination Screening Form'. The EIA Screening Form – Preliminary Examination takes into account three relevant criteria, which are as follows:

1. Nature of the development
2. Size of the development
3. Location of the development

### 6.2. Nature of the development

6.2.1. Is the nature of the proposed development exceptional in the context of the existing environment?

The development is not considered to be exceptional in the context of the existing environment. The surrounding lands contain sports courts, a children's playground and playing fields, with a leisure centre to the northeast.

6.2.2. Will the development result in the production of any significant waste, or result in significant emissions or pollutants?

It is predicted that the development will not generate any significant waste during the construction phase and will not give rise to significant emissions or pollutants. The existing bring facility will be relocated nearby and will not give rise to any changes in noise, traffic and volumes of waste associated with this facility.

### 6.3. Size of the development

6.3.1. Is the size of the proposed development exceptional in the context of the existing environment?

The size of the development is not considered to be exceptional in the context of the existing environment.

6.3.2. Are there cumulative considerations having regard to other existing and/or permitted projects?

There are no cumulative considerations and the proposed development will not result in the loss of greenfield lands.

#### **6.4. Location of the development**

##### **6.4.1. Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?**

The proposed development site is not located within or adjoining any ecologically sensitive site, nor does it have the potential to impact an ecologically sensitive site.

##### **6.4.2. Does the proposed development have the potential to affect other significant environmental sensitivities in the area?**

The proposed development does not have the potential to affect other significant environmental sensitivities in the area.

#### **6.5. Preliminary Examination Conclusion**

- 6.5.1. The conclusion reached in the report is that the proposed development is not likely to result in significant impacts on the environment. It was determined that the Proposed Scheme would not be likely to have significant effects on the environment and EIA is not required.

### **7.0 Request for Determination**

- 7.1.1. Paul Murray made an application under the provisions of Article 120 (3) (b) requesting the Board make an EIA Screening determination. This submission is summarised below:

- Contends that the proposed development is likely to have a detrimental impact on a broad range of birds, animals, and insect life in the area due to noise pollution.
- Contends that the negative impact on biodiversity is not considered in the Council's Screening Report with no mention of elder, hawthorn, alder, oak or holly that in the area bordering the park.
- Considers that the development may be likely to have a negative impact on protected species.



- Contends that the proposed development could have a significant environmental impact on the Little Sugar Loaf 'Area of Outstanding Natural Beauty' and 'Special Amenity Area Order' zones.
- Outlines a belief that this project may be the initial stage of a more large-scale development with wider environmental implications and considers that this requires further investigation.

## **8.0 Assessment**

### **8.1. Introduction**

- 8.1.1. Under the provisions of Article 120 (3) (b) of the PDR, the Board is required to provide a screening determination as to whether the development of a skate park and associated development by WCC at Ballywaltrim, Southern Cross Road, Ballywaltrim, Bray, Co. Wicklow would be likely to have significant effects on the environment.
- 8.1.2. A Preliminary Examination EIA Report was submitted by WCC in response to the Part XIII Application, where it was concluded that there is no real likelihood of significant effects on the environment arising from the proposed development and that an EIA Report is not required in respect of the proposed development. The applicant does not agree with the conclusion of this Preliminary Examination and has set out the class of development in which the proposed development could constitute EIA as well as identifying a number of environmental topics in which significant impacts could arise.
- 8.1.3. The following matters are considered relevant in the assessment of whether the submission of an EIA Report is required:
- Assessment of project type/class of development under Schedule 5 of the PDR, relevant to the proposed development.
  - Assessment of relevant thresholds under Part 2 of Schedule 5 of the PDR.
  - Assessment of proposed development under the criteria set out Schedule 7 of the PDR.

An assessment of the proposed development against the above criteria is carried out in the sections that follow.

## 8.2. Project Types / Class of Development

8.2.1. The applicant in his submission has indicated the class in Schedule 5 within which the development is considered to fall:

- Schedule 5, Part 2, Class 12

In addition to the category listed above, I consider that the Class 10 (b) (iv) and Class 13 (a) under Schedule 5, Part 2 should also be considered, which relate to urban development and changes/ extensions to development already authorised, executed or in the process of being executed, respectively.

Having reviewed the details of the proposed development, the relevant legislation and guidance, and the documentation on file, each is considered below.

8.2.2. Class 10 (b) (iv) Infrastructure projects

Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

It is considered that this class of development may be applicable. The proposed development is in a suburban location on zoned lands in the WCDP and will be connected to existing infrastructure. In the following section the relevant threshold is examined.

8.2.3. Class 12 Tourism and leisure

- a) Ski-runs, ski-lifts and cable-cars where the length would exceed 500 metres and associated developments.
- b) Sea water marinas where the number of berths would exceed 300 and fresh water marinas where the number of berths would exceed 100.
- c) Holiday villages which would consist of more than 100 holiday homes outside built-up areas; hotel complexes outside built-up areas which would have an

area of 20 hectares or more or an accommodation capacity exceeding 300 bedrooms.

- d) Permanent camp sites and caravan sites where the number of pitches would be greater than 100.
- e) Theme parks occupying an area greater than 5 hectares.

It is not considered that this class of development is applicable. There are no ski-runs, etc., no sea water marinas, no holiday village, and no permanent camp/caravan sites as part of the proposed development. Furthermore, I do not consider the proposed development to be a theme park, or an extension thereof.

#### 8.2.4. Class 13 Changes, extensions, development and testing

(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:- (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than – - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

It is considered that this class of development may be applicable. The proposed development can be considered an extension of recreational development already authorised in this area. In the following section the relevant threshold is examined.

### 8.3. Project Thresholds

#### Class 10 (b) (iv)

- 8.3.1. As set out above, it is considered that the proposed development is of a class, Class 10 (b) (iv) for the purposes of EIA. The threshold cited under Class 10 (b) (iv) in the PDR is 'urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere'.
- 8.3.2. The proposed development is in a built-up urban area. Therefore, the threshold is 10 hectares. The proposed development would be accommodated on a site of approximately 480m<sup>2</sup>. Therefore, it is 'subthreshold', and a mandatory EIA is not required.

8.3.3. In such instances, where the development is 'subthreshold', an assessment should be made against the criteria for determining whether development listed in Part 2 of Schedule 5 which are set out in Schedule 7 of the PDR. This is set out below in Section 8.4.

Class 13 (a)

8.3.4. As set out above, it is considered that the proposed development is of a class, Class 13 (a) for the purposes of EIA. The threshold cited under Class 13 (a) in the PDR is any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would result in an increase in size greater than:

- 25 per cent, or
  - an amount equal to 50 per cent of the appropriate threshold,
- whichever is the greater.

8.3.5. As stated above, the proposed development is in a built-up urban area where the threshold is 10 hectares. The proposed development would be accommodated on a site of approximately 480m<sup>2</sup>, which is significantly less than both 25% of the existing recreational facilities and 5 hectares i.e., 50% of the threshold. Therefore, it is 'subthreshold', and a mandatory EIA is not required.

8.3.6. In such instances, where the development is 'subthreshold', an assessment should be made against the criteria for determining whether development listed in Part 2 of Schedule 5 which are set out in Schedule 7 of the PDR. This is set out below in Section 8.4.

**8.4. Assessment under the Criteria set out in Schedule 7**

The criteria for determining whether a development would or would not be likely to have significant effects on the environment are under the following headings:

1. Characteristics of proposed development.
2. Location of proposed development.
3. Types and characteristics of potential impacts.

Each of these criteria is assessed below.

#### 8.4.1. **Characteristics of the proposed development**

##### Size and design of whole project

The proposed development is effectively an upgrading of an existing area within a sports complex and is significantly below the threshold for urban development. The size of the skate park will generally mirror the size of the existing bring centre and associated car park. The design of the skate park would not be significantly at variance with the established pattern of development on lands zoned for community and education. In the context of the size of the overall Bray Sports and Leisure Centre grounds, the design of the skate park would assimilate into the wider park infrastructure.

##### Potential for Cumulative Impacts with other Existing and/or Approved Projects

The site is zoned for 'Community & Education' and is actively used for a community use (bring centre) and adjacent to a large recreational area and some residential development. The adopted development plan has been subject to AA and SEA and considered the land use and classes of development such as the that proposed would be open to consideration on lands zoned 'Community & Education'. The SEA for the plan concluded that its implementation would not result in significant effects on the environment.

It is also noted that the development is on serviced lands in an urban area and does not constitute a significant urban development in the context of the wider town.

The development is not associated with any significant loss of habitat or pollution which could act in a cumulative manner to result in significant negative effects to any Natura 2000 sites. There are no projects which can act in combination with the development which can give rise to significant effects to Natura areas within the zone of influence.

It is considered unlikely that cumulative impacts with other existing and/or approved projects would arise.

##### Nature of any Demolition Works

There are no buildings/structures on the site that require demolition. The existing macadam surface for the bring centre/ car park will be required to be removed. This

is not anticipated to be of any significant level and will be managed through standard construction practices and methodologies.

#### Use of Natural Resources

There will be no significant use of natural resources.

#### Production of Waste

There is no significant production of waste. During the construction phase, routine construction waste will be generated including excavated material from the site. This is not anticipated to be of any significant level and will be managed through standard construction practices and methodologies.

#### Pollution and Nuisances

During the construction phase there will routine construction related pollution and nuisance generated including noise, light, dust and traffic related impacts with the potential to cause nuisance and impact on the amenities of adjoining dwellings and the parkland amenities. These impacts will be temporary and short-term and would be controlled as part of the standard and best practice construction measures.

During the operational phase there will be some pollution and nuisance associated with the use of the skate park owing mainly to noise and traffic. The operational phase may see increased numbers of people using the site also. These impacts will be controlled as part of the standard and best practice operation measures. There is also sufficient availability of public transport and existing parking serving the site.

#### Risk of Major Accidents and/or Disasters including those caused by Climate Change

Having regard to the characteristics of the proposed development, comprising the provision of a skate park facility and its location, it is considered unlikely that there is a risk of major accidents and/or disasters including those caused by climate change.

#### Risk to Human Health

There is no significant risk to human health. During the construction and operation phases risk to human health arising from pollution and nuisances listed above would be controlled as part of the standard and best practice construction and operation measures.

#### 8.4.2. **Location of proposed development**

##### Existing and approved land use

The proposed development is effectively an upgrading/ small extension to an existing sports facility. The proposed development is compatible with the existing use of the land for amenity/recreational purposes and the site is zoned 'Community & Education'. The Use Classes related to the zoning objective which are permitted in principle include sports and recreational facilities.

It is also considered that the proposed development in the context of its zoning objective would not significantly impact adjoining zoning objectives such as 'Existing Residential (RE)' to the south and west of the site.

##### Relative abundance, availability, quality and regenerative capacity of natural resources

The AA Screening Report submitted by WCC in response to this application as well as the submission of the applicant set out details of the natural resources and the nature of the environmental sensitivity of the area.

Within the site there will be no significant use of natural resources, except for some hedging and a small number of trees that are located along the boundaries of the site. Outside the site there will be no use of natural resources. There may be some disruption to existing vegetation in the adjacent recreational area.

During the construction and operation phases risk to abundance, availability, quality and regenerative capacity of natural resources arising from pollution and nuisances listed above would be controlled as part of the standard and best practice construction and operation measures.

The location of the proposed development is such that the natural resources used in the proposed development is limited and there would be minimal or no ongoing use of natural resources from the proposed use of the site.

### Absorption capacity of the existing environment

The absorption capacity of the following areas of the natural environment are considered:

#### Populated Areas

The skate park area is surrounded by urban development, including the Ballywaltrim Grove residential estate and road infrastructure including the Southern Cross Road to the south. The design of the skate park would not be significantly at variance with the established pattern of development on lands zoned for community and education. In the context of the size of the overall Bray Sports and Leisure Centre grounds, the wider environs of the residential area and the road infrastructure, the design of the skate park would assimilate into the wider populated area and recreational area.

A Noise Impact Assessment was prepared by iAcoustics on behalf of Wicklow County Council to assess the possible impacts of the proposed development on the nearest noise sensitive locations i.e., Giltspur Heights and Deepdales residential areas. I note that this demonstrated that the peak sound level of simulated skateboard drops was not distinguishable above the ambient sound level. This finding indicated that the peak sound level generated by local traffic movements was greater than that of simulated skateboard drops. My observations on the day of my site inspection would be consistent with this finding.

During the construction and operation phases, risk arising from pollution and nuisances would be controlled as part of the standard and best practice construction and operation measures. The populated areas are not considered to be environmentally sensitive and have capacity to absorb the proposed development.

#### Trees, Vegetation and Shrub

There is a low beech hedge along the roadside/ southeastern boundary, and 4 no. small beech trees. The southwestern boundary is open with 1 no. small beech tree. There is vegetation and scrub on the inside of the metal fencing on the remaining site boundaries. The Zone of Operation comprises macadam and made surfaces but the Executive Engineer, Wicklow County Council has also confirmed that c.30m of hedging along the northwestern boundary will be required to be removed. Overall,



this will result in a relatively small amount of vegetation loss with minor impact on and degradation to habitats around the site.

The Zone of Operation lies within an area of high suitability for the presence of bats although there are no recordings of bat species in the area and given the limited nature of vegetation removal bat species are unlikely to be directly impacted by the proposed development. The trees, vegetation and shrub are not considered to be environmentally sensitive, have capacity to absorb the proposed development subject to standard and best practice construction and operation measures.

#### Amenity Grassland

The site itself does not have any specific natural heritage designations and the area to which the site relates is currently macadam with some amenity grassland to the southwest of the site. The area may be used by mammals, birds and other species. The use of the site by any species is limited in any case given the existing use of the area which forms part of a sports and leisure complex that is frequented by humans from adjoining residential areas. There is no specific floodings issues at the site. The amenity grassland is not considered to be environmentally sensitive and has capacity to absorb the proposed development.

#### Streams & Rivers

The Dargle River, which is not within the site, is located to the west of the site and there is no linkage or ecological pathway to it from the site.

#### Areas Protected under Legislation

In the wider geographic area, there are three Natura 2000 sites within 5 km of the proposed development, however, there no linkage, ecological or hydrological pathways for impacts. On the basis of the AA Screening Report and given this separation distance, the Natura 2000 site is unlikely to be affected. It is also considered that significant impacts on any waterbodies and pNHAs is unlikely due to the nature and extent of the proposed development and its distance to and from same.

#### Landscapes

The capacity of the landscape to absorb the proposed development is raised by the applicant due to the proximity of the site to the Little Sugar Loaf 'Area of Outstanding

Natural Beauty' and 'Special Amenity Area Order' zones. On the day of my site inspection, I noted the low-lying and enclosed nature of the site/ area, which was surrounded by mature trees associated with the sports complex to the north and the Southern Cross Road to the south.

The design of the proposed skate park is such that it would sit within and adjacent to an existing sports complex which is only visible locally from the Giltspur Heights access road. Whilst the designations are noted, it is considered that the receiving environment would have the capacity to absorb the proposed development in the context of the wider landscape's significance at this location in a suburban area.

Sites of Historical, cultural or Archaeological Significance

There are no sites of historical, cultural or archaeological significance at the site.

#### 8.4.3. **Types and characteristics of the potential impact**

Nature, magnitude and extent of the impact

The extent of the impact in terms of geographical area and the size of the population likely to be impacted is limited to the immediate area of Ballywaltrim.

Population and Human Health

During the construction and operation phases impacts arising from pollution and nuisances outlined above would be controlled as part of the standard and best practice construction and operation measures. It is considered unlikely that significant impacts would arise on population and human health.

Biodiversity

In terms of biodiversity, the proposed development will result in some disruption of existing habitats on site and disturbance/ displacement of species using the site, generally small birds. Having regard to the separation distance from the European sites; the distance between the site and the Dargle River; the nature of the site, which is macadam and manmade surface and beech hedge; and the nature and scale of the proposed development it is considered that there is no significant hydrological pathway between the proposed development and the European Sites during the construction and operation phase.

In addition, it should be noted that the existing habitat is extensively utilised by dog walkers, recreational users and sports events and as such would not be suitable or of significant value to provide refuge or significant foraging habitat to mammals or bird species. Given the high level of human activity at this site it is not considered that significant displacement of species would be likely to occur as a result of the proposed development. On this basis it considered unlikely that significant impacts would arise on biodiversity.

#### Land, Soil, Water, Air and Climate

Having regard to the characteristics and location of the proposed development, it is considered unlikely that significant impacts would arise on land and soil. During the construction and operation phases impacts arising from pollution and nuisances listed earlier in this report would be controlled as part of the standard and best practice construction and operation measures. It is considered unlikely that significant impacts would arise on water, air and climate.

#### Material Assets, Cultural Heritage and the Landscape

There will be minimal visual impact associated with the installation of this facility as the site is low-lying and well screened, particularly by planting associated with the Southern Cross Road to the south. It is considered that the facility will assimilate into the urban landscape of the adjacent sports complex park, would not be visually obtrusive and would not interfere with the character of the landscape and unduly obstruct a view or form an obtrusive or incongruous feature. It is considered unlikely that significant impacts would arise on the landscape. Having regard to the characteristics and location of the proposed development, it considered unlikely that significant impacts would arise on material assets and cultural heritage.

#### Major Accidents or Disasters

Having regard to the characteristics and location of the proposed development, it considered unlikely that significant impacts would arise in relation to major accidents and disasters.

#### Interaction between the factors

There is potential for interactions between various environmental factors, notably between land and biodiversity and population. These would be controlled as part of

the standard and best practice construction and operation measures. On this basis, it is considered unlikely that significant impacts would arise from the interaction between factors.

#### Probability, intensity and complexity of impacts

The proposed development will result in the potential disturbance to hedging, some small trees, and grassy verges. Temporary noise, dust and traffic impacts may also arise. Having regard to the nature and scale of the proposed development, it is considered that the nature of the environmental impacts during the construction and operation phase are not particularly complex or intense.

#### Expected onset, duration, frequency and reversibility of the impact

Having regard to the nature and scale of the proposed development, it is expected that the impacts will be on-going, long term and will generally only be reversible if the constructed elements of the scheme are removed. The construction phase impacts would be of relatively short duration and limited frequency.

#### Transboundary nature of impact

There will be no transboundary impacts associated with the proposed development.

#### Cumulation of Impact

Having regard to details provided earlier in this report, it is considered unlikely that significant cumulative impacts would arise.

#### Possibility of effectively reducing impact

The implementation of standard best practice methodologies during the construction and operation phase of the proposed development will result in a reasonable possibility of effectively reducing potential impacts.

## **9.0 Other Issue**

### **9.1. Initial Stage of a Large-Scale Development**

The applicant alludes to the possibility of the proposed development being the initial stage of a more large-scale development with wider environmental implications and considers that this requires further investigation. This issue is not directly relevant to this application for an EIA Determination currently before the Board. In any case, such a proposal would be subject to the appropriate planning mechanism under the prevailing legislation at such a time it is required and would be assessed based on the environmental requirements at that time.

## **10.0 Conclusion and Recommendation**

Having regard to the above assessment, it is considered that the proposed development would not be likely to have significant effects on the environment and, accordingly, an Environmental Impact Assessment is not required.

It is therefore recommended that Wicklow County Council be advised that the preparation and submission of an Environmental Impact Assessment Report is not required in respect of the proposed development.

## **11.0 Reasons and Considerations**

Having regard to the following:

- a) The criteria set out in Schedule 7 of the Planning and Regulations 2001, as amended,
- b) The nature and limited scale of the development which is under the threshold in respect of Class 10b(iv) (Infrastructure – Urban Development) of the Planning and Development Regulations 2001, as amended,
- c) The location of the site on lands zoned Community & Education in the Bray Municipal District Local Area Plan 2018-2024 and the results of the Strategic Environmental Assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC),

- d) The location of the site in a built-up area served by public infrastructure and the existing pattern of development in the vicinity,
- e) The limited potential for significant effects on the environment,
- f) The submission of the planning authority, including the EIA Preliminary Examination Report and the AA Screening Report,

it is considered that the proposed development would not be likely to have significant effects on the environment and, accordingly, an environmental impact assessment is not required.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Liam Bowe  
Senior Planning Inspector

6<sup>th</sup> November 2023