

---

**Roads Acts, 1993, as amended**

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

**Planning Authority: Dublin City Council, Dún Laoghaire-Rathdown County Council and Wicklow County Council.**

**Application** by National Transport Authority for approval under section 51 of the Roads Act 1993, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and Natura Impact Statement, lodged with An Bord Pleanála on the 4<sup>th</sup> day of August 2023.

**Proposed Development:** Construction of the Bray to City Centre Core Bus Corridor Scheme, which has an overall length of approximately 18.5 kilometres, comprising:

- 36.9 kilometres (two-way) of bus priority infrastructure and traffic management;
- 33.8 kilometres (total both directions) of cycling infrastructure and facilities;
- Provision of new/refurbished pedestrian facilities and footpaths along the scheme and associated ancillary works;
- Widening of the existing pedestrian underpass at St. Laurence Stillorgan, N11 Stillorgan Road;
- Provision of 54 signalised junction upgrades and associated ancillary works;
- Provision of 80 new/refurbished raised table side entry facilities;
- Reconfiguration of existing bus stops resulting in 98 number new bus stop facilities;
- Public Realm works including landscaping, planting, street furniture, street lighting, boundary walls and sustainable urban drainage (SUDs) measures;

- Roads associated earthworks including excavation of unacceptable material, importation of material and temporary storage of materials;
- Provision of road pavement, signing, lining and ancillary works;
- Provision of gates, fencing and boundary treatment works;
- Provision of new and diverted drainage infrastructure;
- Diversion of utilities and services including associated ancillary works, and
- Construction of accommodation works including boundary treatments and ancillary grading and landscaping works; together with all ancillary and consequential works associated therewith.

The proposed scheme will commence at the junction of Leeson Street Lower and Earlsfort Terrace on St. Stephen's Green. It is routed along Leeson Street Lower and Upper, and Sussex Road. It continues along Morehampton Road and Donnybrook Road, through Donnybrook Village and on to the Stillorgan Road, serving the University City Dublin Interchange via the Stillorgan Road Overbridge at Belfield. The route then continues on the Stillorgan Road (N11), which carries on to the Bray Road to Loughlinstown Roundabout. From Loughlinstown roundabout it runs along the Dublin Road (R837) to St. Anne's Church and then continues south through Shankill village along the R119. It then passes through Wilford Junction and along the Dublin Road until it terminates on Castle Street in Bray, on the north side of the River Dargle crossing, in the County of Dublin and County of Wicklow within the Dublin City Council, Dun Laoghaire-Rathdown County Council and Wicklow County Council administrative areas.

## DECISION

**APPROVE** the above proposed road development based on the reasons and considerations under and subject to the conditions set out below.

## REASONS AND CONSIDERATIONS

In coming to its decision, the Board had regard to the following:

**European legislation** including of particular relevance:

- The relevant provisions of European Union Directive 2014/52/EU amending Directive 2011/92/EU (Environmental Impact Assessment Directive) on the assessment of the effects of certain public and private projects on the environment,
- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set out the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union, and,
- Sustainable and Smart Mobility Strategy 2020 (European Union Commission 2020).

**National Planning and related policy**, including:

- the Climate Action Plan 2024, with which the proposed development is consistent with,
- the National Development Plan 2021-2030,
- Project Ireland 2040 National Planning Framework,
- the Department of Transport National Sustainable Mobility Policy, 2022,
- the Design Manual for Urban Roads and Streets, 2019,
- the National Transport Authority and Department of Transport Cycle Design Manual, 2023,
- Ireland's 4th National Biodiversity Plan 2023-2030, and,
- other relevant guidance documents,

**Regional Level Policy** including:

- the Greater Dublin Area Transport Strategy 2022-2042, and,

- the Eastern and Midland Regional Assembly, Regional Spatial and Economic Strategy 2019-2031.

**Local Planning Policy** including:

- Dublin City Development Plan 2022-2028,
- Dublin City Biodiversity Action Plan 2021-2025,
- Dublin City Centre Transport Plan 2023,
- Dún Laoghaire-Rathdown County Development Plan 2022-2028,
- Dún Laoghaire-Rathdown County Biodiversity Action Plan 2021-2025,
- Dún Laoghaire-Rathdown County Trees and Urban Forestry Strategy 2024-2030,
- Stillorgan – Local Area Plan 2018-2024, as extended,
- Woodbrook – Shanganagh Local Area Plan 2017-2023, as extended,
- Wicklow County Development Plan 2022-2028,
- Wicklow County Council Tree Management Policy 2022,
- Bray Municipal District Local Area Plan 2018-2024,
- the nature, scale and design of the proposed scheme as set out in the planning application and the pattern of development in the vicinity,
- the entirety of the documentation submitted by the National Transport Authority (applicant) in support of the proposed scheme, including the Environmental Impact Assessment Report and the Natura Impact Statement, and the range of mitigation and monitoring measures proposed,
- the submissions made to An Bord Pleanála in connection with the planning application,
- the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed scheme and the likely significant effects of the proposed scheme on European Sites, and,

- the report and recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

It is considered that the proposed scheme would accord with European, national, regional and local planning and that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area.

### **Appropriate Assessment: Stage 1:**

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the following are the European Sites for which there is a likelihood of significant effect:

- South Dublin Bay Special Area of Conservation (Site Code: 000210),
- Bray Head Special Area of Conservation (Site Code: 000714),
- Rockabill to Dalkey Island Special Area of Conservation (Site Code: 003000),
- North Dublin Bay Special Area of Conservation (Site Code: 000206),
- Wicklow Mountains Special Area of Conservation (Site Code: 002122),
- Howth Head Special Area of Conservation (Site Code: 000202),
- Lambay Island Special Area of Conservation (Site Code: 000204),
- South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024),
- Dalkey Islands Special Protection Area (Site Code: 004172),
- North Bull Island Special Protection Area (Site Code: 004006),
- Baldoyle Bay Special Protection Area (Site Code: 004016),
- The Murrough Special Protection Area (Site Code: 004186),
- Howth Head Coast Special Protection Area (Site Code: 004113),
- Ireland's Eye Special Protection Area (Site Code: 004117),
- Malahide Estuary Special Protection Area (Site Code: 004025),
- Rogerstown Estuary Special Protection Area (Site Code: 004015),
- Lambay Island Special Protection Area (Site Code: 004069),
- Skerries Islands Special Protection Area (Site Code: 004122),

- Rockabill Special Protection Area (Site Code: 004014), and,
- North-west Irish Sea Special Protection Area (Site Code: 004236).

### **Appropriate Assessment: Stage 2:**

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposal for the European Sites in view of the Sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the assessment, the Board considered, in particular, the likely direct and indirect impacts arising from the proposed scheme both individually or in combination with other plans or projects, specifically upon the above referenced European Sites,

- i. mitigation measures which are included as part of the current proposed scheme,
- ii. conservation objectives for these European Sites, and
- iii. views of prescribed bodies in this regard.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed scheme on the integrity of the aforementioned European Sites, having regard to the Sites' conservation objectives.

In overall conclusion, the Board was satisfied that the proposed scheme, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the Sites' conservation objectives.

### **Environmental Impact Assessment:**

The Board completed an environmental impact assessment of the proposed development, taking into account:

- the nature, scale, location, and extent of the proposed development,

- the Environmental Impact Assessment Report and associated documentation submitted with the application,
- the submissions received during the course of the application, and
- the Inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development, and identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made during the course of the planning application.

**Reasoned Conclusion for Environmental Impact Assessment:**

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed scheme on the environment, taking into account current knowledge and methods of assessment.

The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of European Union Directive 2014/52/EU amending Directive 2011/92/EU. The Board considered that the main significant direct and indirect effects of the proposed scheme on the environment are those arising from the impacts listed below.

The main significant effects, both positive and negative, are:

- Negative impacts on **human health and population** arising from construction include noise, traffic, and dust disturbance to residents of neighbouring dwellings. All of these impacts are low to moderate. Adequate mitigation measures are proposed to ensure that these impacts are not significant and include adequate mitigation for operational noise.

- Benefits/positive impacts on the **air and climate**, the operation of the proposed scheme will have a significant positive effect on human health and population due to the displacement of carbon dioxide (CO<sub>2</sub>) from the atmosphere arising from an increased use of public transport which will be electrified and the reduction of cars on the route. Negative impacts during construction relate to the embodied carbon of construction materials which will have a negative significant impact but for the short term, any increase in carbon is considered significant, however the construction phase represents a significantly small percentage of the sectoral emission ceilings outlined in Climate Action Plan 2024 for the 2021-2025 carbon budget period, the proposed scheme represents 0.087% of the transport emission ceiling for the period.
- Negative impacts on **water** could arise as a result of accidental spillages of chemicals, hydrocarbons or other contaminants entering watercourses, the sea or groundwater via piling activities during the construction phase of the development. These impacts will be mitigated by measures outlined within the application and can therefore be ruled out.
- Negative impacts on **biodiversity** relate to the removal of habitat in the form of hedgerows and treelines. Such impacts are not considered significant and can adequately be mitigated for within the scheme. Vegetation will be planted in the vicinity to bolster existing treelines and hedgerow. Significant impacts are therefore not expected in this regard. The avoidance of trees with roosting potential for bats and the maintenance of commuting corridors, as well as preconstruction bat surveys will ensure significant impacts to bats are avoided. Preconstruction surveys will ensure that no mammals, birds, or invasive species are present within the works areas. Adequate mitigation measures are proposed to ensure the protection of such mammals and birds encountered and to prevent the spread of invasive species. Significant impacts to biodiversity can therefore be ruled out.
- **Noise and dust** impacts arising during the construction phase from construction activities. These impacts will be mitigated through adherence to best practice construction measures in relation to dust and the use of noise abatement at sensitive locations. Significant noise impacts arise in relation to construction noise during nighttime and weekend hours when thresholds are



lower. Works will generally be carried out in daytime hours causing no significant effects. In the event that works are required during nighttime or weekend hours, liaison with residents in this regard and the use of noise abatement will reduce the level of impacts. Noise disturbance from the operation of the development can be ruled out, electric bus fleet and less cars will have a positive impact on operational noise. Significant impacts arising from noise and dust disturbance during the construction, operational and decommissioning stages can therefore be ruled out.

- Adverse impacts on **Architectural Heritage** will arise as a result of the demolition of Woodbrook Lodge to allow for essential road widening for the project in line with the common public good. A robust justification has been presented to the Board as part of the application to demonstrate the exceptional circumstances for the demolition of the lodge which forms part of a significantly altered demesne. The impact will be mitigated through the architectural recording of the lodge and the rebuilding of the lodge, albeit at an alternative location.
- Negative **traffic** impacts arising during the construction phase of the development. These impacts will be mitigated through the implementation of a traffic management plan and a construction management plan. Whilst some localised impacts arising from road closures may arise, significant impacts arising from traffic can be ruled out.

The Environmental Impact Assessment Report has concluded that the main significant direct and indirect effects of the proposed scheme on the environment would be primarily mitigated by environmental management measures, as appropriate.

Having regard to the above, the Board is satisfied that the proposed scheme would not have any unacceptable direct or indirect effects on the environment. The Board is satisfied that the reasoned conclusion is up to date at the time of making the decision and that the information contained in the Environmental Impact Assessment Report complies with the provisions of Article 3, 5 and Annex (IV) of European Union Directive 2014/52/EU.

## **Proper Planning and Sustainable Development**

The proposed road development would deliver a key component of the National Transport Authority's BusConnects programme with the stated aim to improve bus services across the country. It would also provide safer infrastructure for pedestrians and cyclists and would deliver sustainable connectivity and integration with other transport services. The public realm along the bus corridor would also be improved.

The Board considered that the proposed road development, subject to compliance with the conditions set out below, would be in accordance with national, regional and local planning policies, including multiple policies and objectives set out in the Dublin City Development Plan 2022-2028, the Wicklow County Development Plan 2022-2028 and Dún Laoghaire-Rathdown County Development Plan 2022-2028 and having regard to all relevant provisions, including zoning objectives, at or adjoining the overall scheme area. It is further considered that the need, justification and purpose of the proposed road development has been adequately demonstrated, that it is acceptable in terms of its likely effects on the environment and that an approval for the proposed road development would be consistent with national climate ambitions and with the relevant provisions of the Climate Action Plan 2024 through the delivery of an efficient, low carbon and climate resilient public transport service, which supports the achievement of Ireland's emission reduction targets. The Board was satisfied that the contravention of Specific Local Objective 148 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 to protect certain roundabouts was outweighed by other objectives in the plan and the overriding benefits of the linear nature of the proposed development, which would provide for enhanced road safety and compliance with DMURS. The proposed road development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed scheme shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed scheme shall be carried out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed scheme shall be amended and provided for in accordance with the details set out below. Revised plans shall be submitted for the written agreement of the planning authority prior to the commencement of development which provide for:
  - (a) appropriate pedestrian facilities at the junction of Dublin Road and Shanganagh Park and Cemetery to facilitate west-east crossings from the retained bus stop opposite the entrance to the park and cemetery, in the interests of orderly development and pedestrian safety.
  - (b) the introduction of a cycle link at the Hill in Stillorgan for inbound cyclists seeking direct access to Stillorgan village to the boundary of the proposed development.

Revised drawings showing compliance with these requirements shall be submitted to the relevant planning authority for written agreement prior to the commencement of development where stated and the works carried out in accordance with the revised agreed details.

**Reason:** In the interests of clarity, orderly development and road safety.

3. (a) All mitigation, environmental commitments and monitoring measures identified in the Environmental Impact Assessment Report shall be implemented in full as part of the proposed scheme.

- (b) All mitigation, environmental commitments and monitoring measures identified in the Natura Impact Statement shall be implemented in full as part of the proposed scheme.

**Reason:** In the interests of development control, public information, and clarity.

- 4. Prior to the commencement of the development, finalised cycle parking stands throughout the scheme shall be agreed in writing with the relevant planning authority.

**Reason:** In the interest of facilitating convenient and adequate bicycle parking.

- 5. Prior to the commencement of development, the developer, and/or any agent acting on its behalf, shall prepare in consultation with the relevant statutory agencies, an updated Construction Environmental Management Plan (CEMP), Construction Traffic Management Plan and Construction Stage Mobility Management Plan incorporating all mitigation measures indicated in the Natura Impact Statement and Environmental Impact Assessment Report and a demonstration of proposals to adhere to best practice and protocols. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, surface water management proposals, the management of construction traffic and off-site disposal of construction waste.

The construction of the development shall be managed in accordance with the CEMP. This plan shall provide details of intended construction practices for the development, including:

- (a) location of the site and materials compounds including areas identified for the storage of construction refuse,
- (b) location of areas for construction site offices and staff facilities,
- (c) details of lighting, site security fencing and hoardings,
- (d) details of the timing and routing of construction traffic to and from the construction site,

- (e) measures to prevent the spillage or deposit of clay, rubble, or other debris on the public road network,
- (f) alternative arrangements to be put in place for pedestrians, cyclists, and vehicles in the case of the closure of any public road or footpath during the course of site development works,
- (g) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (h) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained,
- (i) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil,
- (j) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains, and
- (k) consultation with the respective Regional Waste Management Planning Office regarding development of the final plans.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interests of amenities, public health, and safety.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant planning authority for such works in respect of both the construction and operation phases of the proposed scheme.

**Reason:** In the interests of environmental protection and public health.

7. Details of all signage shall be submitted to the local authority prior to the commencement of development to be held on record.

**Reason:** In the interest of orderly development.

8. Comprehensive details of the proposed public lighting system to serve the proposed scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

**Reason:** In the interests of public safety and visual amenity.

9. (a) All lighting shall be operated in such a manner as to prevent light overspill to areas outside of compounds and works areas.
- (b) Prior to the commencement of development, the applicant shall submit a detailed lighting plan to be held by the planning authority. The plan shall include the type, duration, colour of light and direction of all external lighting to be installed within the site compounds of the development site.

**Reason:** In the interests of clarity, and of visual and residential amenity and protection of local biodiversity.

10. The developer shall monitor queuing time/delays at each works location and record traffic flows on the local road network at locations to be agreed with the local authority. Such monitoring information shall be provided in a report to the local authority and Transport Infrastructure Ireland (in the case of a national roads and motorways) on a weekly basis.

**Reason:** In the interest of orderly development.

11. Noise monitoring shall be carried out at all times during the construction phase of the development. In the event of exceedances all relevant works shall cease until appropriate mitigation is implemented.

**Reason:** In the interest of environmental protection and public health.

12. All works shall be monitored by an Ecological Clerk of Works or Ecologist. Where appropriate, monitoring shall be undertaken by specialists. Monitoring

schedules shall be included in Site Specific Habitats Protection and Re-instatement Method Statements.

**Reason:** In the interest of environmental protection.

13. Prior to the commencement of development at each section of the proposed works, pre-construction surveys shall be carried out to determine the presence of protected mammal, bird or bat species.

**Reason:** In the interest of environmental protection.

14. Any new or improved surface water outfalls shall be constructed in a manner which protects riparian habitat and does not result in excessive erosion of such habitat.

**Reason:** In the interest of habitat protection.

15. Prior to the commencement of development, the developer shall submit an Invasive Species Management Plan to the planning authority, which includes details of a pre-construction survey to be carried out. The plan shall include full details of the eradication of such invasive species from the development site prior to construction or if discovered during construction as soon as is practicably possible.

**Reason:** In the interest of nature conservation and mitigating ecological damage associated with the development.

16. The developer shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

**Reason:** In the interest of the proper planning and sustainable development of the area.

17. Trees to be felled shall be examined prior to felling and demolition to determine the presence of bat roosts. Any works shall be in accordance with the National Roads Authority Guidelines for the Treatment of Bats during the construction of National Road Schemes.

**Reason:** In the interest of wildlife protection.

18. No ground clearance shall be undertaken and no vegetation shall be cleared during the bird breeding season from the 1<sup>st</sup> day of March to the 31<sup>st</sup> day of August, unless otherwise agreed with the planning authority.

**Reason:** In the interest of local biodiversity.

19. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:

- (a) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and,
- (b) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination. All archaeological pre-construction investigations and monitoring shall be carried out in accordance with the details specified within the Environmental Impact Assessment Report submitted with the application

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

20. All works to protected structures and structures of heritage interest shall be monitored and recorded by an architectural conservation specialist, Re-instatement Method Statements shall be submitted to the planning authority to



be held on file. The architectural conservation specialist shall ensure that adequate protection of the retained and historic fabric during the proposed works and across all preparatory and construction phases. Discovery of new structures of heritage interest shall be made known to the relevant section of the planning authority for the area as soon as is practicably possible.

**Reason:** In the interest of environmental protection.

21. The site shall be landscaped in accordance with the comprehensive scheme of landscaping submitted. Final details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, including details on:
- (a) existing trees, hedgerows, shrubs, walls, specifying which are proposed for retention,
  - (b) the measures to be put in place for the protection of these landscape features during the construction period. Tree protection measures for all existing trees shall be put in place prior to the commencement of development or phases of development,
  - (c) the species, variety, number, size and, details and locations of all proposed trees and shrubs and walls prior to implementation,
  - (d) hard landscaping works, specifying surfacing materials, furniture, play equipment (if any) and finished levels, and
  - (e) a timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.


**Reason:** In the interests of residential and visual amenity.


22. The National Transport Authority shall also employ the services of an appropriately qualified arboriculturist and landscape architect for the full duration of the proposed works to ensure measures related to tree and landscaping works are implemented appropriately.

**Reason:** In the interest of environmental protection.

23. Prior to the removal of trees, hedging and planting, the National Transport Authority shall consult with, and advise, the relevant landowner (which may include the planning authority for the area) of the species, size, and location of all replacement vegetation.

**Reason:** In the interests of visual and residential amenity.

  
\_\_\_\_\_  
**Mick Long**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this *28<sup>th</sup>* day of *January* 2025