



An
Bord
Pleanála

Board Direction
PL 29N.247709

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 11th and further to a S.132 request and further submissions reviewed on September 29th and on October 19th 2017 were considered along with the inspector's report.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

The proposed site is situated in an area prone to flooding. Having regard to the original and the revised design proposals as submitted under S.132 the Board considers that the proposal to substantially lower the ground levels at the seafront side of the site, and across the site, fails to work with the existing topography, and has increased flood risk at this location. The Board is not satisfied that the demountable barriers, constitute an appropriate or feasible flood risk mitigation measure given the residential nature of the scheme and the proposed finished floor levels.

The Board further considers that this active mitigation measure would set an undesirable precedent for similar developments in the area. The proposed development would thus fail to comply with the provisions of 'The Planning System and Flood Risk Management – Guidelines for Planning Authorities' and the associated 'Technical Appendices' (as issued by the OPW and the Department of Environment, Heritage and Local Government in 2009). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board considered that the principle of development at this residentially zoned site was acceptable and considered that based on appropriately adjusted/ increased floor levels and the removal of active flood management measures and their replacement with passive measures the proposed development may be in accordance with the proper planning and development of the area.

It was considered however that the design changes required would be material and a further S.132 request or the imposition of conditions would not be appropriate.

Board Member

Date: 19.10.17

Paul Hyde