



An  
Bord  
Pleanála

**Board Direction**  
**BD-000571-18**  
**ABP-300643-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/06/2018.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

1. The site is located in close proximity to the River Barrow and on lands designated as Flood Zone A and Flood Zone B. Having regard to the Site Specific Flood Risk Assessment submitted with the application and notwithstanding the flood risk mitigation measures proposed, the Board is not satisfied that the proposed development would not increase the risk of increased flooding of other lands and property upstream and downstream in the vicinity. It is considered that the development would contravene Objective FRP 2 of the Portarlington Joint Local Area Plan 2012-2018 which seeks to “avoid inappropriate development in areas at risk of flooding and ensure that new development does not increase flood risk elsewhere, including that which may arise from surface water runoff” and would, therefore, be contrary to the provisions of the The Planning System and Flood Risk Management Guidelines 2009, The Flood Risk Management Guidelines for Planning Authorities [DoEHLG, 2009] and of the proper planning and sustainable development of the area.

2. Having regard to the location of the site immediately adjacent to a Special Area of Conservation – The River Barrow and River Nore SAC (site code 002162) and the Natura Impact Statement submitted with the application, which relies on the findings of the Site Specific Flood Risk Assessment, the Board is not satisfied that the proposed development, due to the threat of flooding of the site, notwithstanding the proposal to raise ground levels, would not pose a threat to the adjoining Special Area of Conservation. It is therefore considered that the proposed development would contravene Objective NHP 3 FRP 2 of the Portarlinton Joint Local Area Plan 2012-2018 which seeks to “maintain, protect and where possible enhance the conservation value of existing designated sites in the town and any additional sites that may be proposed for designation during the period of the Plan”. As such it is considered that the proposed development would, if permitted, militate against the preservation of the European site and would therefore be contrary to the proper planning and sustainable development of the area.
  
3. The site is located in close proximity to the River Barrow and is currently a recognised floodplain. Notwithstanding the flood risk mitigation measures proposed as part of the proposed development, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area because of the proximity to the River Barrow and the loss of an existing floodplain that is attached to the River and therefore would be considered haphazard and piecemeal in advance of flood relief works in Portarlinton town as a whole.

In deciding not to accept the Inspector's recommendation to grant permission, the Board is not satisfied that the proposed development by reason of its location and nature, would not lead to a risk of flooding beyond a reasonable scientific doubt, and would not have an adverse affect on the adjoining SAC.

**Board Member**

**Date:** 25/06/2018

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Michelle Fagan