



An
Bord
Pleanála

Board Direction
BD-003588-19
ABP-303919-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/7/2019.

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

Stage 1 Appropriate Assessment Screening

In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the site's Conservation Objectives. The Board not was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on South Dublin Bay SAC (000210) and South Dublin Bay and River Tolka Estuary SPA (004024), or any other European site, in view of the site's Conservation Objectives.

Reasons and Considerations

1. The proposed development is in an area which is deemed to be at risk of flooding, by reference to the current Development Plan for the area and the documentation on file. The proposal includes a block wall along the north of the site and is defined as a defended area in the Strategic Flood Risk Assessment of the Fingal County Development Plan 2017-2023. Having regard to the The Planning System and Flood Risk Management Guidelines for Planning Authorities (Nov 2009) and the provisions of the Development Plan in relation to development proposals in areas at risk of flooding, it is considered that, in the absence of adequate information relating to the risk of flooding, analysis of such risk, and appropriate mitigating measures to address any risk. The proposed development would be contrary to the proper planning and sustainable development of the area.
2. The subject site has a foul sewer traversing the site. The proposed development does not include the location of the pipe or any diversion proposals. The site is constrained by its location along the Tolka River and therefore in the absence of any proposal and or agreement to divert this foul sewer it is considered that the proposed development would be premature and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 18/07/2019

Paul Hyde