



An
Bord
Pleanála

Board Direction
BD-003449-19
ABP-304066-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 2nd, 2019.

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

Reasons and Considerations

1. The Environmental Impact Assessment Report, together with the other documentation submitted with the application, does not provide sufficient information regarding the proposal to drain surface water runoff to individual soak pits, in order to demonstrate that this would adequately minimise flood risk to the people and material assets in the proposed development and that the residual flood risk can be managed to an acceptable level. The proposed development would, therefore, fail to meet the justification test set out in section 5.15 of the Guidelines for Planning Authorities on the Planning System and Flood Risk Management issued by the Department of the Environment, Heritage and Local Government in November 2009, which applies to the site because parts of it are within Flood Risk Zones A and B as described in those Guidelines. The proposed development would, therefore, be contrary to those Ministerial Guidelines, and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the information contained in the Environmental Impact Assessment Report does not fully identify and describe the extensive infill

works and groundworks that are proposed in order to deal with the issue of flood risk. The information before the Board is not sufficient, therefore, to complete an environmental impact assessment of the proposed development with regard to the factors of soil and water, and accordingly it is considered that the Board cannot be satisfied that the proposed development would not have significant adverse effects on the environment.

Note: In making its decision, the Board accepted the concerns of the planning authority in relation to the unacceptability of the proposed method of surface water attenuation, involving the use of individual soak pits for the proposed houses and apartment blocks, but agreed with the Inspector that this issue could not be adequately addressed by condition. In relation to Environmental Impact Assessment, the Board concurred with the Inspector's reasoned conclusions in relation to the other factors, other than soil and water. However, in the case of the factors of soil and water, and therefore the interactions of the factors, the Board agreed with the Inspector's conclusion with regard to the Environmental Impact Assessment as a whole, and considered that sufficient information had not been provided by the applicant to demonstrate the absence of likely significant environmental effects and, hence, the Board was not in a position to complete an Environmental Impact Assessment of the proposed development.

[Please issue a copy of this Direction to the parties with the Board Order]

Board Member

Date: 3rd July 2019

Philip Jones