



An  
Bord  
Pleanála

**Board Direction**  
**BD-004641-19**  
**ABP-305198-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/12/2019.

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 proposed development, by reason of the proposed site layout and access arrangements, would be premature pending the development of the proposed link road between New Road and Main Street, Rathkeale, as identified in Section 10.3 – Opportunity Area 9 – of the current Rathkeale Local Area Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site within the Rathkeale Architectural Conservation Area as designated in the current Rathkeale Local Area Plan and the town centre, it is considered that the proposed development, involving the provision of a single pair of semi-detached houses, would establish an inappropriate precedent for other development within Opportunity Area 9 of the Plan, which should be the subject of a design approach that demonstrably takes cognisance of this Architectural Conservation Area and location within the town centre. In the absence of such an approach, to permit the proposal would risk the introduction of a form of development that would fail to

complement the character of the Architectural Conservation Area and so it would be likely to establish an adverse precedent for the area. The proposed development would, therefore, adversely affect an Architectural Conservation Area and would be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 03/12/2019

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Michelle Fagan

**Note:** Under the OPW's flood maps and the Planning System and Flood Risk Management Guidelines, the location of the site is within Zone B and the proposal, which would constitute highly vulnerable development, should therefore be the subject of the Justification Test set out under Box 5.1 of these Guidelines. The applicant has not submitted a site-specific flood risk assessment to enable this Test to be undertaken and so, to permit this proposal in these circumstances, would contravene the said Guidelines and leave open the possibility of future fluvial flooding of the site. The proposal would thus be contrary to the proper planning and sustainable development of the area.

Please attach a copy of the Board Direction with the Board Order.