



An  
Bord  
Pleanála

**Board Direction**  
**BD-006862-20**  
**ABP-306191-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/11/2020.

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

### **Reasons and Considerations**

The subject site is located within the catchment of the Loughlinstown/Shanganagh River Stream, and within Flood Zone A of the Office of Public Works Catchment Flood Risk Assessment and Management (CFRAM) final flood maps. The subject proposal represents 'Highly Vulnerable Development' in accordance with Table 3.1 of the Planning System and Flood Risk Guidelines for Planning Authorities 2009 and 'Minor Development- Class 2' development under Appendix 13 (Strategic Flood Risk Assessment) of the Dun Laoghaire Rathdown County Development Plan 2016-2022. Class 2 development is not permitted within Flood Zone A. Furthermore, under Section 5.3.3. of Appendix 13 of the Plan, development should be limited to Class 1 developments within the Shanganagh River flood risk area. In addition, Section 5.1 of Appendix 13 of the Plan indicates that with the exception of zoned Major Town Centres and the Sandyford Business District, new development within Flood Zones A or B does not pass the Justification Test and will not be permitted. It is therefore considered that the proposed development would be contrary to Sections 5.1 and 5.3.3 of the Strategic Flood Risk Assessment as set out in Appendix 13 of the Dun Laoghaire County Development Plan 2016-2022. The proposed development is

located in an area which is at risk of flooding and would, therefore, be contrary to the proper planning and sustainable development of the area.

**Note:** The Board noted the recommendation of the Inspector that permission should also be refused having regard to the design, scale, massing and height of the proposed development and the proximity to adjoining properties. However, having considered the totality of the documentation submitted with the application and appeal, and having considered the commentary of the Inspector with regard to overlooking, the Board concluded that the proposed development would not seriously injure the amenities of adjoining residential properties, nor have an adverse impact on the character of the area, by reason of design, scale, massing or height.

**Board Member**

**Date:** 04/11/2020

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Chris McGarry