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Bord  
Pleanála

**Board Direction**  
**BD-016096-24**  
**ABP-314953-22**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/04/2024.

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

#### **Reasons and Considerations**

Having regard to section 4 of the Flood Risk Assessment submitted with the application and to the projected extent of post development flood zones as a result of the proposed development, the Board does not consider that the proposal has been subject to an appropriate flood risk assessment that would accord with Objective WM 11-17: Development in Flood Risk Areas of the Cork County Development Plan 2022-2028, or satisfy criterion no. 2 of the Justification Test for development management set out in section 5.15 of the 'Guidelines for Planning Authorities on the Planning System and Flood Risk Management' (November 2009). Specifically, it has not been satisfactorily demonstrated that the proposed development would not increase flood risk elsewhere or reduce overall flood risk. A grant of permission would therefore be contrary to the development plan for the area and the aforementioned guidelines, and would, therefore be contrary to the proper planning and sustainable development of the area. Furthermore, having regard to the forgoing, the Board could not be satisfied beyond a reasonable scientific doubt that the proposed development would not adversely affect the Cork Harbour SPA (Site Code: 004030) and was therefore precluded from granting permission.

Note: The Board also concurred with the Inspector's recommended refusal Reason 1 but considered that this may constitute a new issue and, given the substantive reason for refusal, decide not to pursue this matter in this instance.

**Board Member**



Tom Rabbette

**Date:** 17/04/2024