



An
Bord
Pleanála

Board Direction
BD-016072-24
ABP-315342-22

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

1. The site is located in an area zoned objective Z9 - Amenity / Open Space Lands /Green Network in the current Dublin City Development Plan 2022-2028. The Board considers that the proposed development would materially contravene the zoning objective, as set out in this plan. The Board pursuant to the provisions of section 37 (2)(b) of the Planning and Development Act, 2000, is precluded from the granting of planning permission for the proposed development as none of the provisions of section 37 (2)(b) (i), (ii), (iii) or (iv) of the said Act apply in this case. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development constitutes a highly vulnerable development as defined in The Planning System & Flood Risk Management Guidelines for Planning Authorities (2009) and is in an area which is deemed to be at risk of fluvial flooding (Flood Zone A and Flood Zone B) by reference to the current Dublin City Development Plan 2022-2028 and accompanying Strategic Flood Risk Assessment. It has not been satisfactorily demonstrated that the

proposed development accords with the requirements of the Flood Risk Management Guidelines and, if permitted, would be contrary to policies PSI13 and PSI14 of the Dublin City Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Given the siting of development proposed, the extent of construction works and its proximity to the riverbank of the river Camac, it is considered that the proposed development if permitted, would negatively impact on the ecological functioning of the River Camac and negatively impact on potential opportunities for river corridor restoration at this location. The development would therefore, be contrary to policies SI11, GI15, G129 and SI11 of the Dublin City Development Plan 2022-2028, which policies are considered reasonable and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member



Joe Boland

Date: 12/04/2024