



An
Bord
Pleanála

Board Direction
BD-018242-24
ABP-316040-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/11/2024.

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 the subject site which is in an area which is at risk of flooding, in close proximity to the River Suir, and the proposed residential development, which is defined as a vulnerable use in the Flood Risk Management Guidelines 2009, the Board is not satisfied, on the basis of the information lodged with the planning application and in response to the appeal, that the proposed development would not pose a risk to future residential occupiers of the development in the event of a flood. It is considered that the proposed development would be prejudicial to public health and safety, would not accord with the precautionary approach set out in the guidelines and relevant provisions of the Tipperary County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note

The Board considered, based on the totality of information on file, that a number of matters had not been satisfactorily addressed, including the provision of adequate sightlines at the entrance onto North Quay road, the compatibility of the design proposed with the setting of the adjacent protected structure and the impact on

residential amenity of future occupants of the proposed development and of current occupants of Bridgwater House, having regard to limited separation distance between the proposed apartment block and the eastern flank wall of the Bridgwater House which currently serves habitable rooms. The Board noted the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024 came into effect in January 2024 and considered that any future application on the subject site would be required to have regard to the relevant provisions of same, including separation distances between opposing habitable windows. While ordinarily these matters would warrant further consideration and a request for further information, in this instance given the substantive reason for refusal above, it was decided not to pursue these matters under the current appeal.

Board Member



Martina Hennessy

Date: 18/11/2024