

An
Bord
Pleanála

Board Direction
BD-019368-25
ABP-320677-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/04/2025.

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

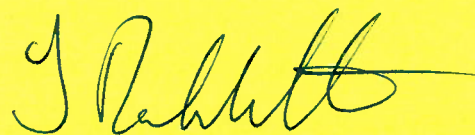
Reasons and Considerations

1. Having regard to the susceptibility of the site to fluvial flooding, as indicated in the flood risk assessment submitted with the application, the identification of 'pluvial extreme' flood risk within the site in the Galway County Development Plan 2022-2028, and previous incidences of groundwater flooding within the site on Floodinfo.ie, and on the basis of the submissions made in connection with the planning application and appeal, which did not include an hydrological assessment and modelling to calculate flood risk for the site nor an assessment of flood risks upstream and downstream of the site, the Board is not satisfied that the flood alleviation measures proposed would adequately address flood risk on the site, in particular due to the ground conditions identified in the application documentation. Furthermore, OPW flood mapping for the area, including the site are currently under review. The Board is, therefore, not satisfied that the proposed development would not give rise to an increased risk of flooding of the site or of property in the vicinity. The proposed development would be prejudicial to public health and public safety, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the planning application and appeal documentation, and the revised Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Lough Corrib Special Area of Conservation (Site Code 000297) or Lough Corrib Special Protection Area (Site Code 004042), in view of the sites' conservation objectives. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommended refusal reason number 2, the Board was satisfied that the applicant had demonstrated sufficient legal interest/agreement to provide for suitable access to the application site via the adjacent Lakeview development and that, subject to connectivity as proposed, the existing footpath infrastructure in Lakeview could accommodate the proposed development. The Board was also satisfied with the proposed level of connectivity and permeability as indicated in the plans and particulars submitted with the application and appeal, noting also that the site is with short walking distance of the centre of Baile Chláir. In deciding not to accept the Inspector's recommended refusal reason number 4, the Board was satisfied that surface water disposal could be appropriately designed and implemented for this town centre zoned site and did not warrant refusal in this instance.

Board Member



Tom Rabbette

Date: 02/04/2025