



An
Bord
Pleanála

Board Direction
BD-019258-25
ABP-321221-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/03/2025.

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

Reasons and Considerations

Notwithstanding the zoning of the site (*Existing Residential*) and previous approvals (now expired) to construct a dwelling on the site, the Board agrees with the Inspector and the Planning Authority that the proposed development is a highly vulnerable residential use to be located within fluvial flood zone A, where the probability of flooding from the river is greater than 1% or 1 in 100.

Section 10.2.6.1 (*Flood Management*) of the Kilkenny City and County Development Plan, 2021-2027, states that the avoidance of development in areas where flood risk has been identified shall be the primary response. Section 10.2.6.2 (*Development Management Requirements*) requires that a site specific flood risk assessment for sites in flood zones A and B, to be undertaken in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in November 2009, and the Strategic Flood Risk Assessment accompanying the City and County Development Plan.

The proposed development fails the Development Management justification test provided for in the 'Planning System and Flood Risk Management Guidelines for Planning Authorities', the Board is therefore not satisfied, on the basis of submissions made in connection with the planning application and the appeal, that the subject site is an appropriate location for the scale and type of development proposed. It is considered that the proposed development would negatively impact on the flood regime of the surrounding area and the amenities of surrounding properties and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member


Declan Moore

Date: 24/03/2025