



Board Direction

Ref: 91.RP2138

The submissions on this file and the Inspector's report were considered at a Board meeting held on 9th February 2017.

The Board determined that the proposal for attenuation satisfies the requirements of Condition 18 of planning authority register reference number 15/221 in relation to surface water attenuation.

WHEREAS Condition 18 of planning authority register reference number 15/221 required, inter alia, the omission of the proposed surface water attenuation/storage area, and the installation of sufficient surface water storage as specified under the parent permission for the development under planning authority register reference number 99/2676 (An Bord Pleanála appeal reference number PL13.129104):

AND WHEREAS Condition 4 of An Bord Pleanála appeal reference number PL13.129104 (planning authority register reference number 99/2676) required that water supply and drainage arrangements, including the disposal of surface water and flood prevention measures, comply with the requirements of the planning authority, and that details to show compliance with these requirements, be submitted to the planning authority for written agreement:

AND WHEREAS the developer and the planning authority failed to agree on the details illustrating compliance with the terms of Condition 18 of planning authority register reference number 15/221 in relation to details of surface water attenuation:

AND WHEREAS the matter was referred by the developer to An Bord Pleanála on 24th October 2016 for determination:

AND WHEREAS the Board is satisfied that the matter at issue is the provision of sufficient attenuation storage, and concurred with the planning authority that it would be appropriate to provide attenuation for the overall development in this instance:

AND WHEREAS the planning authority in its submission to An Bord Pleanála of 23rd November 2016, considered that the new means of surface water disposal now proposed is appropriate:

~~**AND WHEREAS** the Board noted the provisions of Section 34(4)(a)(i) of the Planning and Development Act, 2000, as amended:~~

NOW THEREFORE, An Bord Pleanála, in exercise of the powers conferred on it by Section 34(5) of the Planning and Development Act, 2000, as amended, determines that the proposal for attenuation, as submitted in support of this referral, satisfies the requirements of Condition 18 of planning authority register reference number 15/221 in relation to surface water attenuation.

Board Member: _____ Date: 28th March 2017
Fionna O' Regan