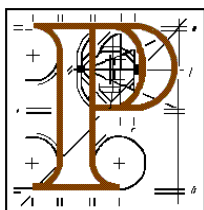


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0502

An Bord Pleanála Reference Number: PL 06D.247145

APPEAL by Rory Mulcahy care of Declan Brassil and Company Limited of Lincoln House, Phoenix Street, Smithfield, Dublin and by Florin Strimbu care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 26th day of July, 2016 by Dún Laoghaire Rathdown County Council to refuse permission to the said Florin Strimbu.

PROPOSED DEVELOPMENT: Amendments to permission under planning register reference number D09A/0800. The proposed amendments will consist of the provision of a revised house type/design consisting of a seven metre high two storey modern flat roof dwelling in a revised location on revised site layout, also incorporating revisions to the site boundaries and site entrance together with associated site works and landscaping at site east of entrance to “Lisnaeoe” and “Brooklands”, Commons Road, Loughlanstown, Dublin.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

The subject site is a greenfield site located within the catchment of the Shanganagh River Stream, which is located in Flood Zone B, and the Draft Catchment Flood Risk Assessment and Management (CFRAM) outputs indicate possible flooding in this location, in particular the area along Mill Lane which has flooded in the past, both before and after construction of the defences. Section 5.3.3 of Appendix 13 of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, specifies that the area should be limited to Class 1 Minor Developments in Areas at Risk of Flooding (as per section 4.6 of Appendix 13 of Dún Laoghaire-Rathdown County Development Plan 2016-2022) until such as time as the defences are brought up to the 1 in 100-year standard. The proposed development is, therefore, not in accordance with Appendix 13 (Strategic Flood Risk Assessment), in particular section 5.3.3 Shanganagh River, of the Dún Laoghaire-Rathdown County Development Plan 2016-2022. The proposed development is located in an area which is at risk of flooding and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had regard to the provisions of Appendix 13 of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, in which it is stated that "Development should be limited to Class 1 Minor Developments until such as time as the defences are brought up to 1 in 100-year standard". In addition, the Board had regard to the large increase in the extent of the building footprint from that permitted under planning register reference number D09A/0800 and was not satisfied that the loss of floodplain storage and the potential impacts on nearby properties had been adequately addressed.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017.