

Board Order PL 06D.247695

Planning and Development Acts 2000 to 2016

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D16A/0711

Appeal by Brendan Lyons care of Reid Associates of 2 Connaught Place, Crofton Road, Dún Laoghaire, County Dublin and by DHQ Investments Limited care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 23rd day of November, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission to DHQ Investments Limited.

Proposed Development Construction of five number two-storey dwellings (four number three-bedroom and one number two-bedroom), together with five number new vehicular entrances off Commons Road, boundary treatment, landscaping, SUDS drainage and all ancillary works necessary to facilitate the development at Brookville, Commons Road, Shankill, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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

Having regard to the Dún Laoghaire-Rathdown County Development Plan 2016 – 2022, including the Strategic Flood Risk Assessment (SFRA) in Appendix 13 of this Plan, the subject site is located within the flood plain of the Shanganagh River and within a Flood Zone A area as identified in Map No. 10, Flood Zone Maps, as set out in the Plan. Section 5.1 of the Strategic Flood Risk Assessment, indicates that with the exception of zoned Major Town Centres, District Centres and the Sandyford Business District, new development within Flood Zones A or B does not pass the Justification Test and will not be permitted. In addition, Section 5.3.3 of the Assessment, which sets out the policy for the Shanganagh River catchment, indicates that development of the scale proposed (construction of five number houses) is not an allowable development at this location. It is therefore considered that the proposed development would contravene Sections 5.1 and 5.3.3 of the SFRA as the proposed development is in an area which is at risk of flooding and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of

2017