



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D19A/0721

APPEAL by Aultagh Construction Limited care of McCutcheon Halley of Kreston House, Arran Court, Arran Quay, Dublin against the decision made on the 21st day of November, 2019 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Construction of three number three-bedroom residential units over two-storeys and undercroft with a combined gross floor area of 383.50 square metres as follows: (i) House Number 1 with a gross floor area of 131.70 square metres and private amenity space of 98.7 square metres, (ii) House Number 2 with a gross floor area of 122.70 square metres and private amenity space of 79.3 square metres, (iii) House Number 3 with a gross floor area of 129.10 square metres and private amenity space of 95.3 square metres, (iv) six number car parking spaces, (v) roof mounted solar photovoltaic panels (combined 54.5 square metres) and green roof (combined 175 square metres), (vi) drainage including attenuation and sustainable drainage systems (SuDS), landscaping and all ancillary site development works including regrading of the existing levels of the driveway and hard surface area to the north of the proposed residential units and (vii) rationalisation of the existing two number entrances on the site's front (north) boundary with Commons Road to one number entrance only, by

decommissioning the existing entrance at the west end of the site's front boundary and retaining the existing entrance at the eastern end of the site's front boundary. Reinstatement of entrance pillar to match the existing pillar at the 'eastern entrance'. Demolition of the two-number separate existing structures (fire damaged building and outbuilding) is required to facilitate the proposed development and that work will be carried out under planning register reference number D17A/0464. The proposed three number residential units will be constructed within the footprint of the outbuilding only. All at Iona ('Abigail House'), Commons Road, Loughlinstown, County 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

The subject site is located within the catchment of the Loughlinstown/Shanganagh River Stream, and within Flood Zone A of the Office of Public Works Catchment Flood Risk Assessment and Management (CFRAM) final flood maps. The subject proposal represents 'Highly Vulnerable Development' in accordance with Table 3.1 of the Planning System and Flood Risk Guidelines for Planning Authorities, 2009 and 'Minor Development- Class 2' development under Appendix 13 (Strategic Flood Risk Assessment) of the Dún Laoghaire-Rathdown County Development Plan 2016-2022. Class 2 development is not permitted within Flood Zone A. Furthermore, under Section 5.3.3. of Appendix 13 of the Plan, development should be limited to Class 1 developments within the Shanganagh River flood risk area. In addition, Section 5.1 of Appendix 13 of the Plan indicates that with the exception of zoned Major Town 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. It is, therefore, considered that the proposed development would be contrary to Sections 5.1 and 5.3.3 of the Strategic Flood Risk Assessment as set out in Appendix 13 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.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.