



Planning and Development Acts 2000 to 2019

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 19/1207

APPEAL by Kenneth T. Griffin of 35 Crossroads, Thomondgate, Limerick against the decision made on the 7th day of February, 2020 by Limerick City and County Council to refuse permission for the proposed development.

Proposed Development: Raising ground level of a 1.77 hectare field by 1.8 metres using inert building rubble and subsoil. This development requires a waste licence, at Stradbally North, Castleconnell, County Limerick.

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 site of the proposed development is located on lands zoned 'Agriculture' in the current Castleconnell Local Area Plan with the purpose to provide for the development of agriculture by ensuring the retention of agricultural uses, protect them from urban sprawl and ribbon development, and to provide for a clear physical demarcation to the adjoining built up areas. In addition, the site forms part of an area which is located within Flood Zone A in the Plan's Predictive Flood Zone Map, an area where most development is considered vulnerable to flooding and where the land has been designated for agricultural use as a consequence. Furthermore, the objectives of the Limerick County Development Plan include minimising the threat of flooding in new development and having regard to The Planning System and Flood Risk Management: Guidelines for Planning Authorities in the assessment of all development proposals (Objective IN O35), as well as assisting in the sustainable development of river catchments (Objective IN O36). The Guidelines recommend that, within Flood Zone A, most types of development are considered inappropriate and that development in this zone should be avoided and/or only considered in exceptional circumstances, such as in city and town centres, or in the case of essential infrastructure that cannot be located elsewhere.

Having regard to the zoning provisions for the site as set out in the Castleconnell Local Area Plan and the site's function as an integral part of the flood zone within the village, it is considered that the filling of the site to facilitate future development of the land unrelated to agriculture would contravene the zoning provisions for the site, would be contrary to the Ministerial Guidelines relating to the Planning System and Flood Risk Management, and would be contrary to the objectives of the County Development Plan relating to flood risk. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Philip Jones

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

Dated this day of 2020.