



An
Bord
Pleanála

Board Order ABP-315540-23

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 22/1379

Appeal by Lotara Developments Limited care of Hendrick W van der Kamp, Town Planner of 1 Woodstown Court, Knocklyon, Dublin against the decision made on the 9th day of December, 2022 by Meath County Council to refuse permission for the proposed development.

Proposed Development: Construction of part of approved site (Parent Planning Permission An Bord Pleanála PL17.210615 and Meath County Council Register Reference DA/30397 and Register Reference AA/150318 expired) of 29 number dwellings comprising 28 number two-storey, three bedroom semi-detached dwellings (Type A) sites numbers 5-16 inclusive and 18-33 inclusive and one number two-storey, three bedroom detached dwelling (Type A1) site number 17 and all associated works on fully developed and serviced site with vehicular and pedestrian access from existing internal estate road all on subject site area of circa. 0.935 hectares at sites numbers 5-33 inclusive at The Oaks, Archerstown Demesne, Milltown, Ashbourne, County Meath as revised by the further public notices received by the planning authority on the 16th day of November, 2022.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the proposed development, which is in part located within Flood Zone A and Flood Zone B, and INF POL 18 of the Meath County Development Plan, 2021-2027 which seeks 'To implement the "Planning System and Flood Risk Management – Guidelines for Planning Authorities" (Department of Environment, Heritage and Local Government/Office of Public Works, 2009) through the use of the sequential approach and application of Justification Tests for Development Management' and INF POL 20 which requires 'that a Flood Risk Assessment is carried out for any development proposal, where flood risk may be an issue in accordance with the "Planning System and Flood Risk Management – Guidelines for Planning Authorities" (Department of Environment, Heritage and Local Government/Office of Public Works, 2009)', the application is not supported by a Site Specific Flood Risk Assessment nor a Justification Test as set out in the Guidelines.



Therefore, in the absence of this information, the proposed development would constitute a risk to people and property and would be prejudicial to public health and therefore would be contrary to Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Department of the Environment, Heritage and Local Government in 2009 and Policies INF POL 18 and INF POL 20 of the Meath County Development Plan, 2021 to 2027. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

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

Dated this 1st day of July 2024