



An
Bord
Pleanála

Board Direction
BD-006529-20
ABP-305483-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/09/2020.

REQUEST received by An Bord Pleanála on the 20th day of September 2019 from Creedon Group Limited and GSA Developments (Ireland) Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development of 235 number purpose-built student bed spaces; 37 number residential (Build-to-Rent) apartments; one number commercial/retail unit and one number café along with associated site works at a site bounded by Mill Street, Sweeney's Terrace and Clarence Mangan Road, Dublin 8, the subject of a permission under An Bord Pleanála reference number ABP-303436-19.

WHEREAS the Board made a decision to grant permission, subject to 30 conditions, for the above-mentioned development by order dated the 11th day of April 2019 under ABP-303436-19,

AND WHEREAS the Board has received a request to alter the terms of the development, the subject of the permission,

AND WHEREAS the proposed alteration is described as follows:

- **Blocks A, C and BTR – Basement (Lower Ground Floor) Level:** Omission of the permitted basement level in Block A, the introduction of basement level in Block C and amendments to the permitted layout of the basement in the BTR Block.

- **Block A – Ground Floor Level:** Provision of a mezzanine level above ground floor and the creation of two number flexible retail/commercial units of 126.5 sq.m. and 279.5 sq.m. respectively at ground floor level. The proposed mezzanine level above accommodates an enlarged internal student amenity space (152.5 sq.m.) and an additional retail/commercial space (183 sq.m.).
- **Block A – Upper Floor Levels:** Provision of two number additional five bed student accommodation clusters at fifth and sixth floor levels of Block A.
- **Block C – Ground Floor Level:** Relocation of the permitted switch and ESB rooms from the southern to the eastern elevation, the introduction of a launderette facility (23 sq.m.) and associated amendments to the two number internal student amenity spaces and the café (minor floorspace reductions), together with the relocation of the toilet and layout revisions to the refuse area and bike store.
- **Block C – Upper Floor Levels (First, Second and Third Floor Level):** Amalgamation of three number three bed student accommodation clusters and three number four bed student accommodation clusters at first, second and third floor levels to provide three no. seven bed student accommodation clusters. Rearrangement of access to the roof of the bike store/landscaped external amenity area.
- General internal rearrangements of all blocks to include the rationalisation and standardisation of the internal layouts of the student accommodation and BTR units, circulation cores and services.

External amendments as follows:

- General amendments to the fenestration on all levels and ground floor level access arrangements to match internal amendments at ground and upper floor levels on all elevations.
- Amendments to the ground floor level landscaping proposals and to the internal courtyard elevations to reflect internal amendments.
- Increase in the permitted building heights and parapet levels (c.300-800mm) and the rationalisation/standardisation of floor plate heights and levels across the permitted development.

- Alterations at rooftop level including the relocation of screened roof plant from Blocks A and D to an amalgamated plant area on the roof of Block C, along with revised lift overrun locations.
- The movement of Blocks C and D southwards by approximately 1.8m and slight amendments to the footprints of the blocks to provide enhanced external amenity and circulation arrangements for the proposed development.
- The provision of access gates at the entrance to the private courtyard area between Blocks A and C, to the west of Block D and to the east of Block D.

Revised floor areas as follows:

- Overall increase of floorspace from an approved 9,842.32 sq.m. GFA to 10,663.17 sq.m. GFA (an increase of 820.85 sq.m. GFA).
- Increase of 237.5 sq.m. of usable commercial/retail floorspace from 351.5 sq.m. (discounting circulation space, toilets and basement plant/storage space) to a total of 589 sq.m. contained in two number flexible units.

Amendment of Condition number 2 of ABP-303436-19 from:

The proposed development shall be amended so that Block D is set back from its western boundary by a minimum of 2 metres to allow for public access to the exposed area of the River Poddle from the laneway from Sweeney's Terrace.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the visual amenities and character of the area.

To the following:

Public access to the exposed area of the River Poddle from Mill Street and Sweeney's Terrace will be available between 9.00 am and 5.00 pm, Monday to Sunday.

Reason: To protect the visual amenities and character of the area.

AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would result in a material alteration to the terms of the development, the subject of the permission,

AND WHEREAS the Board decided to require the requestor to make available information relating to the request for inspection, and require the requestor to invite submissions or observations,

AND WHEREAS having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by the Board on the 20th day of September 2019.

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.

REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature and scale of the Strategic Housing Development, permitted under An Bord Pleanála Reference Number ABP-303436-19, in respect of 235 no. student bedspaces and 37 no Build to Rent apartments and associated site works;
- (ii) the examination of the environmental impact, including in relation to European sites, carried out in the course of that application;
- (iii) the limited nature, scale and extent of the alterations;
- (iv) the absence of any significant new or additional environmental concerns (including in relation to European sites) arising as a result of the proposed alterations, and

(v) the report of the Board's Inspector,

it is considered that the proposed alterations to the permitted development would be generally in accordance with the provisions of the Guidelines for Planning Authorities on the Design of New Apartments issued in March 2018 and those of the Dublin City Development Plan 2016-2022, would not be likely to give rise to impacts on the surrounding area that significantly differed from those that were considered before permission was granted and would not injure the character of the permitted development or the level of amenity that it would afford its occupants. The proposed alterations would therefore be in keeping with the proper planning and sustainable development of the area.

Board Member

Date: 23/09/2020

Paul Hyde