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## **Planning and Development Acts, 2000 to 2019**

### **Planning Authority: Dún Laoghaire Rathdown County Council**

**(Associated application reference number: ABP-301522-18 and alteration request reference number: ABP-304212-19)**

**REQUEST** received by An Bord Pleanála on the 15th day of August 2019 from Viscount Securities under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development at Clay Farm, Ballyogan Road, Dublin 18, the subject of a permission under An Bord Pleanála reference number ABP-301522-18 and alteration reference number ABP-304212-19.

**WHEREAS** the Board made a decision to grant permission, subject to 25 conditions, for the above-mentioned development by order dated the 2nd day of August 2018 under ABP-301522-18,

**AND WHEREAS** the Board decided that an alteration to the above-mentioned decision, that was requested on 12th day of April 2019, would not result in a material alteration to the terms of the development and so altered the decision under ABP-304212-19,

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

**AND WHEREAS** the proposed alterations are described as follows:

- (a) Alterations to Block W06 to provide additional one and two-bed units and an associated reduction in the block plan. The altered Block W06 will accommodate 35 number one-bed units and 20 number two-bed units over five floors, an increase in five number units from the 50 number permitted;
- (b) Replacement of six number houses to the south of the neighbourhood centre with 10 number duplex units;
- (c) Replacement of three number three-bed houses to the east of the neighbourhood centre with three number four-bed houses;
- (d) Relocation of Blocks E07 to E09 further to the south, to provide an increased setback from an Electricity Supply Board wayleave to the north, and associated alterations to the layout of the adjoining roads and residential plots to the south;
- (e) All associate car and cycle parking changes, landscaping, drainage, site services and other works;

the proposed alterations would result in an overall increase in unit numbers from 924 units, as amended, to 933 units, as shown on the drawings submitted with the request,

**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 alteration 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 15th day of August 2019 and the 27th day of January 2020.

### **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**

In coming to its decision, the Board had regard to the following:

- (i) the nature and scale of the Strategic Housing Development, permitted under An Bord Pleanála reference number ABP-301522-18 as altered under An Bord Pleanála reference number ABP-304212-19, in respect of 924 residential units, a neighbourhood centre, a section of the Clay Farm Loop Road and associated 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,
- (v) the absence of any new or significant issues relating to the proper planning and sustainable development of the area arising from the proposed alterations, and
- (vi) 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 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of the Housing, Planning and Local Government in March 2018 and those of the Dun Laoghaire-Rathdown County Development Plan 2016-2022, would not be likely to give rise to impacts on the surrounding area that significantly differ from those that were considered before permission was granted, would not injure the character of the permitted development or the level of amenity that it would afford its occupants, and would be acceptable in terms of pedestrian and traffic safety.

The proposed alterations would, therefore, be in keeping with the proper planning and sustainable development of the area and, in accordance with section 146B(3)(a) of the Planning and Development Act 2000, as amended, the Board hereby makes the said alterations.

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**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this                    day of                    2020.**