



An
Bord
Pleanála

Board Direction
BD-004116-19
ABP-305174-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/09/2019.

Re: Amending Board Order

146B(2)(b) of the Planning and Development Act 2000

(Associated application reference number: ABP-302580-18)

REQUEST received by An Bord Pleanála on the 15th August 2019 from Castdale Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development the subject of a permission under An Bord Pleanála reference number ABP-302580-18

WHEREAS the Board made a decision to grant permission, subject to 19 conditions, for the above-mentioned development by order dated the 19th of December 2018,

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:

- Introduction of a 520 sq.m residential amenity space, in the northeast corner of the undercroft basement beneath Block 02
- Inclusion of an ESB substation, adjacent to the proposed residential amenity space, to be accessed externally along with alterations to vehicular entrance arrangements to car park area, and relocation of external stairway on the northern façade of Blocks 02-06.

- Amendments to the basement layout beneath Block 02-06 relating to reconfiguration and relocation of bin stores to provide for one central bin store / compactor area, and replacement of a permitted bin collection area at surface level to the north of Block 02 with a waste pickup area to suit the revised waste management strategy.
- Associated parking amendments, with the introduction of 3 no accessible spaces at surface level adjacent to the undercroft basement and the net omission of 24 no. spaces overall due to the introduction of the residential amenity space.
- All associated site works, including landscaping alterations and minor changes to roads.

AND WHEREAS the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, not to invite submissions or observations from the public in relation to whether the proposed alteration would constitute the making of a material alteration to the terms of the development concerned,

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 not result in a material alteration to the terms of the development, the subject of the permission,

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.

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-302580-18 for this site, 341 residential units: 243 apartments within 6 apartment blocks of 4-5 storeys and a 2-storey block and 98 two and three storey houses, a creche, relocation of entrance portal including entrance railing, piers, archways and gates from existing entrance to new location in close proximity to new entrance to Glencairn House, 519 (basement and surface) car parking spaces, 24 motorcycle spaces, 530 cycle parking spaces, bin and cycle storage areas, recycling bring bank, three electricity sub-station and DRI unit, and all associated site works and services.
- (ii) the examination of the environmental impact, including in relation to Natura 2000 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 Natura 2000 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 would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, as amended, the Board hereby makes the said alterations.

In deciding not to accept the inspector's recommendation to seek additional information the Board, having regard to the nature and extent of the proposed alterations requested and the development granted under ABP-302580-18, concluded that it would not have considered the relevant planning issues differently, and considered that no other planning issues would have arisen if the amendments had been incorporated into the original application. The Board was therefore, satisfied that the proposed amendments were not material and that it was appropriate to make the alterations to the original permission.

Board Member

Date: 26/09/2019

Paul Hyde