

An
Bord
Pleanála

Board Direction
BD-010037-22
ABP-310199-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/02/2022.

REQUEST received by An Bord Pleanála on the 12th day of May 2021 from Cairn Homes Properties Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development of 354 no. residential units (124 number houses, 170 number apartments and 60 number duplex units); two story community enterprise building, two storey office building, relocation of existing temporary bus parking facility and associated site works at a site at Glenheron, Greystones, Co. Wicklow, the subject of a permission under An Bord Pleanála reference number ABP-305773-19.

WHEREAS the Board made a decision to grant permission, subject to 22 conditions, for the above-mentioned development by order dated the 19th day of February 2020,

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

AND WHEREAS the requested alterations are described as follows:

- Revise condition number 4 of ABP-305773-19 as follows:

A childcare facility shall be provided to cater for up to 52 childcare spaces and an associated open space play area, which shall be the subject of a separate planning application to Wicklow County Council.

Reason: In order to comply with national policy on childcare provision for residential development as set out in the Childcare Facilities Guidelines for Planning Authorities and the Sustainable Urban Housing Design Standards for New Apartments.

- To extend the bin store located on the ground floor of Block B by 33.1 square meters and the bin store located on the ground floor of Block A by 27.1 square meters to accommodate plant room.
- Change of use of permitted plant room on ground floor of Block B to a two-bed apartment.
- Removal of security cabin on the northern side of the site and its replacement with three number car parking spaces.

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

AND WHEREAS the Board decided, in accordance with section 146B(3)(b)(i) of the Planning and Development Act 2000, as amended, to require the submitted information to be placed on public display and submissions sought, prescribed bodies to be issued a copy of the proposal and additional drawings to be submitted,

AND WHEREAS having considered all of the documents on file and the Inspector's report, the Board considered that the making of the requested 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 12th day of May 2021.

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

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

- (a) the policies and objectives set out in the Wicklow County Development Plan 2016-2022 and the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019;
- (b) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;
- (c) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments;
- (d) the Childcare Facilities Guidelines for Planning Authorities;
- (e) the nature and scale of the Strategic Housing Development, permitted under An Bord Pleanála Reference Number ABP-305773-19;
- (f) the appropriate assessment and environmental impact assessment carried out in the course of this application;
- (g) the limited nature and scale of the alterations;
- (h) the absence of any significant new or additional environmental concerns (including in relation to European sites) arising as a result of the requested alterations;
- (i) the absence of any new or significant issues relating to the proper planning and sustainable development of the area arising from the requested alterations, and
- (v) the report of the Board's Inspector.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban site, the Screening for Appropriate Assessment

submitted with the application and the Inspector's Report. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Report submitted by the requestor, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10 (b) (i) and (iv) of Schedule 2, Part 5 of the Planning and Development Regulations, 2001 (as amended),
- (b) the location of the site on land zoned "R22: Residential – 22 units / ha" in the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019 and the compliance of the proposed development with the policies, objectives and development management,
- (c) the pattern of development on the lands in the surrounding area,
- (d) the availability of mains water and wastewater services to serve the development,
- (e) the location of the development outside any sensitive location specified in Article 299(c)(1)(v) of the Planning and Development Regulations, 2001 (as amended),
- (f) the guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development" issued by the Department of the Environment, Heritage and Local Government (2003),
- (g) the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 (as amended),
- (h) the features and measures proposed by the applicant to avoid or prevent what might otherwise be significant effects on the environment,


It is considered that the proposed development, by reason of the nature, scale and location of the subject site, would not be likely to have significant effects on the

environment and the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

Conclusions on Proper Planning and Sustainable Development:

The Board considers that the requested alterations would be material and would be generally in accordance with the provisions of the of the Wicklow County Development Plan 2016-2022 and the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019, 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 requested alterations would therefore be in keeping with the proper planning and sustainable development of the area.

Board Member



Paul Hyde

Date: 17/02/2022

