



An
Bord
Pleanála

Board Direction
BD-010260-22
ABP-312262-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/03/2022.

REQUEST received by An Bord Pleanála on the 16 December 2021 from Ruirside Developments Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of the Strategic Housing Development at Rathborne Avenue, Pelletstown, Ashtown, Dublin 15, which is the subject of a permission under An Bord Pleanála reference number ABP-307656-20.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 10 November 2020,

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

AND WHEREAS the proposed alteration is described as follows:

Amendments to previously permitted ABP-307656-20 to include:

1. Block 1 (Levels 00 and 01): changes to the retail, café, residential entrances with associated elevational changes and reconfigured car parking, loading, plant and ancillary room layouts.
2. Block 1: residential floors revised (massing similar to permitted block, same number of units retained); studios and 3-bed unit omitted and replaced with 1-bed units; en-suites removed from 2-bed apartments; associated minor level

changes. Revisions to the unit mix in Block 1 are to meet the Housing Department of Dublin City Council Part V requirements.

3. Blocks 2-6: Revised Level 00 layout for blocks 2-6 involving amendments to basement layout car parking configuration, revised levels, reconfiguration of plant and plant rooms, bin and bike stores, management room, omission of second entrance to phase 2 carpark; revised external parking layout and loading bay entrances.
4. Blocks 1-6: Revised elevation treatment to Blocks 1-6 involving an increase in the extent of brick to the street facing elevation of Block 1 and full brick facades to all faces of the taller blocks including north-facing elevation. Render façade treatment to courtyard elevations generally. Removal of render from difficult to access areas and a change of balcony material from glass to metal generally to improve robustness and ongoing visual quality of the building..
5. Block 2 – 6: Minor revisions to window locations and apartment layouts in Blocks 2-6 resulting from fire safety and ESB substation separation requirements.
6. Relocation of plant at level -01 to level 00 – there is no development at this lower level.
7. Alterations to Landscaping resulting from proposed amendments.

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 alteration 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 An Bord Pleanála on the 16 December 2021.

REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature and scale of the Strategic Housing Development permitted under An Bord Pleanála Reference Number ABP-307656-20 for this site,
 - (ii) the screening for appropriate assessment carried out in the course of that application,
 - (iii) the limited nature and scale of the alterations, and
 - (iv) the absence of any significant new or additional environmental effects (including those in relation to Natura 2000 sites) arising as a result of the proposed alterations, and
 - (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,
 - (vi) 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.

Board Member

Paul Hyde

Date: 15/03/2022

