



An  
Bord  
Pleanála

## Board Order ABP-303356-19

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### Planning and Development Acts, 2000 to 2018

Planning Authority: Kildare County Council

(Associated application reference number: ABP-301230-18)

**REQUEST** received by An Bord Pleanála on the 18<sup>th</sup> day of December 2018 from Cairn Homes Properties Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of the Mariavilla Strategic Housing Development at Moyglare Road and Dunboyne Road, Maynooth, County Kildare, the subject of a permission under An Bord Pleanála reference number ABP-301230-18.

**WHEREAS** the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 3<sup>rd</sup> day of July 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:

#### **Condition 3 (g)**

All rear gardens of houses shall be bounded with concrete post and base with concrete panel fencing, which shall be a minimum of 1.8 meters high, except where bounding public open spaces and roads, where the walls shall be two meters in height and either capped and rendered or have a brick finish.

**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 the Board on the 18<sup>th</sup> day of December 2018.

### **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-301230-18 for this site, which includes 462 number dwellings including the refurbishment of the Gate Lodge (a Protected Structure), 483 number student accommodation bed spaces 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 and scale 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, which is adopted,

it is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, 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            2019.**