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

### **Planning Authority: Dublin City Council**

**(Associated application reference number: ABP-302749-18)**

**REQUEST** received by An Bord Pleanála on the 27<sup>th</sup> day of March 2020 from NTM ROI Seed Capital LP care of John Spain Associates, 39 Fitzwilliam Place, Dublin 2, under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development of student accommodation comprising 289 number bed spaces at the former Nolan Seafoods site, Rathdown Road, Dublin 7, the subject of a permission under An Bord Pleanála reference number ABP-302749-18.

**WHEREAS** the Board made a decision to grant permission for the above-mentioned development by order dated the 6<sup>th</sup> day of February 2019, subject to 20 conditions,

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

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

Temporary alteration of condition number 2 to permit partial occupation of the permitted student accommodation for tourist and visitor use in the academic year from 1st September 2020 to 31st May 2021. After such times, the original condition

number 2 will be applicable. No physical alterations are proposed to development as permitted.

**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 alterations 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 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 27<sup>th</sup> day of March 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**

Having regard to:

- (i) the nature and scale of the Strategic Housing Development permitted under An Bord Pleanála Reference Number ABP-302749-18 for this site in respect of 289 number student bed spaces, within 47 number bedroom clusters, across two number residential blocks, amenity space, 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 and scale of the alterations,
- (iv) the absence of any significant new or additional environmental concerns (including those 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 would not be material. In accordance with section 146B(3)(a) of the Planning and Development Act, 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**