



An
Bord
Pleanála

Board Order
ABP-309277-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

REQUEST received by An Bord Pleanála on the 22nd day of January 2021 from NTM ROI Seed Capital LP care of John Spain Associates of 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 the subject of a permission under An Bord Pleanála Reference Number ABP-302749-18 as amended by ABP-306991-20 and ABP-307009-20.

WHEREAS the Board made a decision to grant permission, subject to 20 conditions, for the above-mentioned development by Order dated the 6th day of February 2019,

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:

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 2021 to 31st May 2022. After such times, the original terms of condition number 2 will be applicable. No physical alterations are proposed to the development as permitted all located at Noland Seafood Limited, Rathdown Road, Dublin 7.

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 22nd day of January 2021.

REASONS AND CONSIDERATIONS

Having regards to:

- (i) the nature and scale of the Strategic Housing Development permitted under An Bord Pleanála Reference Number ABP-302749-18 for this site, which includes 289 number student bedspaces within 47 number bedroom clusters, amenity space and associated site 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 and temporary nature and scale of the alteration,
- (iv) the absence of any significant new or additional environmental concerns including in relation to European Sites arising as a result of the proposed alterations, and
- (v) the report of the Planning 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 and Development Act, as amended, the Board hereby makes the said alterations.

Paul Hyde

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2021