

An  
Bord  
Pleanála

## Board Order ABP-310327-21M

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### Planning and Development Acts 2000 to 2021

### Amendment of Board Order

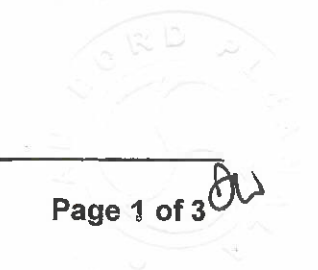
Planning Authority: Dublin City Council

**Development Concerned:** 1,047 number residential units (23 number houses and 1,024 number apartments), creche and associated site works at the Former O'Devaney Gardens Site and lands previously part of St. Bricin's Military Hospital, Dublin 7.

**WHEREAS** the Board made a decision to grant permission subject to conditions, in relation to the above-mentioned development by order dated the 13<sup>th</sup> day of September 2021:

**AND WHEREAS** it has come to the attention of the Board by the applicant for permission that in order to facilitate the operation of the permission that Condition Number 5 of the Board's Order should be amended,

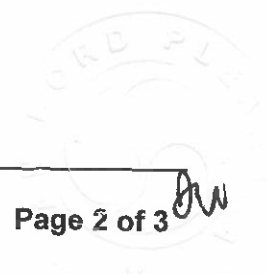
**AND WHEREAS** the Board considered that Condition Number 5 should be amended to clarify and confirm that the Condition is only intended to apply to any house or duplex unit in the permitted development. Condition Number 5 was not intended to apply to all residential units in the permitted development and, in particular, was not intended to apply to the permitted apartments,



**AND WHEREAS** the Board considered that the amendment of the Board Order would not result in a material alteration of the terms of the development, the subject of the permission, and that it would facilitate the operation of the permission, as intended,

**AND WHEREAS** having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from any person who had made submissions or observations to the Board in relation to the permission,

**NOW THEREFORE** in accordance with section 146A(1)(b)(iii) of the Planning and Development Act 2000, as amended, the Board hereby amends its Order of the 13th day of September 2021 by amending Condition 5 as follows:



5. Prior to the commencement of any house or duplex unit in the development as permitted, the developer or any person with an interest in the land shall enter into an agreement with the planning authority, such agreement must specify the number and location of each house and duplex unit, pursuant to section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted to first occupation by individual purchasers, i.e. those not being a corporate entity, and or by those eligible for the occupation of social and or affordable housing, including cost rental housing.

**Reason:** To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.



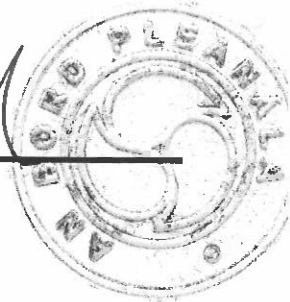
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**Dave Walsh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this 11<sup>th</sup> day of March  
2022