



An
Bord
Pleanála

Inspector's Report

ABP-310918-21

Development	Section 146B application for amendments to An Bord Pleanála case reference ABP-306583-20 permitted residential development at Shanganagh Castle, Co. Dublin
Location	South of Shanganagh Castle in the townlands of Shanganagh, Cork Little and Shankill, Co. Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Applicant(s)	Dun Laoghaire Rathdown County Council
Type of Application	Application under section 146B of the Planning & Development Act 2000 as amended.
Site Inspection Date	N/A
Inspector	Ciara Kellett

Contents

1.0 Introduction.....	3
2.0 Site Location and Description	3
3.0 Planning History.....	4
4.0 Proposed Amendments	4
5.0 Requester’s submission.....	6
6.0 Legislative Provisions	11
7.0 Assessment.....	16
8.0 Environmental Impact Assessment.....	48
9.0 Appropriate Assessment.....	48
10.0 Recommendation	49

1.0 Introduction

- 1.1. The requester previously sought approval under section 175 of the Planning and Development Act 2000, as amended, for a residential development under ABP Ref. 306583-20. The Board approved the proposed development on 8th July 2020 subject to 17 conditions.
- 1.2. The requester has submitted this request, received by An Bord Pleanála on 22nd July 2021, pursuant to section 146B of the Planning & Development Act 2000, as amended, for alterations to that permission.

2.0 Site Location and Description

- 2.1. As previously described in the Inspector's Report for the original application, the site is located to the south of County Dublin between Shankill Village and Bray, County Wicklow. It is located within the administrative area of Dun Laoghaire Rathdown County Council (the applicant). The old Dublin Road, the R119, runs in a roughly north-south direction to the west of the site and the M11 motorway is further to the west again. The site is c.975m from the coast to the east.
- 2.2. The site lies within the old demesne grounds of Shanganagh Castle which is a Protected Structure and is listed on the Record of Monuments and Places. The castle itself lies to the east of the site and forms the backdrop to the overall development. The Shanganagh Cemetery lies to the south of the site. The surrounding area is characterised by mature well-established housing developments including Crinken Glen, Castle Farm and the relatively recent development of Olcovar. The other notable use for the area is open space including Shanganagh Park and Woodbrook Golf Club.
- 2.3. The existing DART railway line is located to the east of the site. Shankill DART station is located in Shankill village c.2.1km to the north. A future station is planned to be provided within the Woodbrook lands c.1km to the south. The old Dublin Road is planned to accommodate a BusConnects route.

3.0 Planning History

3.1. Parent Permission

- **ABP Ref. 306583-20:** The Board granted permission in July 2020 for a residential development comprising up to 597 units ranging from 1 – 7 storeys in a combination of housing and apartments with ancillary uses (retail unit, café and creche) partially comprising a Build-to-Rent scheme.
- **Amending Board Order:** On 22nd February 2021, the Board issued an amending Board Order under Section 146A of the Planning and Development Act 2000 as amended. The Board's Order governing the parent permission should be read in conjunction with the amending Order, which corrects the unit numbers in the development description, such that the first bullet point of the 'proposed development, description shall be as follows: Block A – 6 storeys comprising 61 no. apartments (6 no. studio, 27 no. 1 bed; 17 no. 2 bed and 11 no. 3 bed).

3.1.1. In the vicinity there have been some recent planning permissions

- **ABP Ref. 305844-19:** Permission was granted by the Board on 27th February 2020 for a SHD development comprising 685 no. residential units, crèche and associated works. This development is to the south of the site and south of Shanganagh Cemetery and the park.
- **DLR Ref. PC/PKS/02/16:** Part 8 Scheme for the construction of a new crematorium facility at Shanganagh cemetery approved March 2017.
- **ABP Ref. 311181-21:** An application for development of a SHD proposal on the former Bray Golf Course lands has recently been lodged (August 2021) with the Board for 591 residential units.

4.0 Proposed Amendments

4.1. The changes proposed are described in the Planning Statement which accompanied the request. The requester is of the opinion that whilst the list of changes and amendments may appear to be substantial, they are in fact in most cases minor but have been identified to ensure transparency and appropriate oversight. The

requester states that the modifications proposed to the consented scheme will not involve changes to the unit numbers, block layout or the number of storeys permitted to each block. I examine the detail of each proposed amendment in the Assessment section of this report but as summarised in the Planning Statement they include:

- Overall increase in floor area of 998.2sqm (1.7% increase in overall floor area) following detailed design and the setting out of buildings and compliance with Fire Safety Certificate;
- A change in finished floor levels across the scheme ranging from -525mm to +680mm;
- An adjustment to parapet levels on Blocks A – H ranging from -35mm to +170mm;
- Alterations to parapet height of the terraced housing of between –50mm (east and west ends of terrace) to +250mm (2 units only in the middle of the terrace);
- An adjustment to the position of the block layouts and the separation distance between buildings on site of between -380mm and +220mm;
- Reduction in height of the two storey houses, repositioning of the houses relative to the northern site boundary and revised bin and bike storage;
- Provision of PV panels at roof level with additional plant and access stairs;
- Modifications to the extent and location of window glazing on all blocks including the café with amendments to material palette and detailing;
- Revised floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;
- Amendment to Juliet balconies in Block B2 which have been replaced with windows, revised recessed balconies to Block G on the south west corner and the extension of balconies and the provision of 2 no. balconies in Block H;
- Modifications and improvements to landscaping in the courtyards and public square, removal of additional trees and revised tree planting in lieu;
- Change of use and relocation of support facilities located around the public square;

- Modifications to the proposed drainage layout including revisions to the number, location and extent of attenuation tanks, modified drainage route through Shanganagh Park, and replacement of 2 no. existing headwalls;
- Revision to red line boundary defining the site to provide for two small changes, including one at Gate Lodge and the other at Woodbrook. These serve to reduce the overall size of the site, which is now approximately 9.61 hectares in area; and
- Modification to and relocation of parking to include provision of 365 no. additional set down car spaces¹ and the relocation of motorcycle spaces west of Block F.

5.0 Requester's submission

5.1. The request was accompanied by a number of documents including:

- Architectural Drawings;
- Accommodation Schedule and HQA;
- Landscape Drawings & Report;
- Public Lighting Plan;
- Engineering Drawings;
- S146B application Assessment and Stormwater Impact Assessment Report;
- Appropriate Assessment Screening Report; and
- Environmental Impact Assessment Screening.

5.2. The requester states that the need for the modifications has come about following detailed design consideration in the preparation of tender drawings, including detailed thermal analysis, Disability Access Certification (DAC) and Fire Safety Certification (FSC). The requester is of the opinion that the proposed modifications are not of a material nature and will result in a development that will provide a better living environment for future residents.

¹ Note this is detailed further in section 8 and does not include 365 *ADDITIONAL* parking spaces

5.3. The requester provides detailed information and reasoning for the proposed changes under the following headings which will be addressed in my Assessment:

Architectural Design; Energy Strategy; Setting out of Buildings; Drainage Strategy; Residential Support Facilities; Landscape Strategy; and, Car & Bike parking strategy.

5.4. The requester submits that the proposed amendments do not alter the nature and / or function of the scheme. They do not alter the:

- Site layout or substantially alter the position of the Blocks of development;
- Number of storeys or quantity of units proposed;
- Extent or scope of ancillary support services being provided;
- Quantity or nature of open space being provided;
- Car parking provision on site; and
- Visual appearance or impact of the proposed development.

5.5. The requester states that the issue of materiality is not clearly defined in legislation nor are there any guidelines. It is suggested to the Board that the appropriate tests are whether the alterations could be considered:

- a) Minor in the context of a significant residential development
- b) Of a technical nature
- c) Without planning consequences and whether they would give rise to new or additional planning issues

It is contended that although the list of works are numerous and are lengthy in nature, many of the amendments are minor and in some cases could be considered to be within the order of construction tolerances, including amendments to parapet height, changes to finished floor levels, setting out of building blocks on the ground and changes to materiality.

5.6. The requester submission addresses the issue of materiality under the following headings.

5.7. **Architectural & Associated Changes:**

5.7.1. Alterations proposed are considered minor having regard to the overall scale. Changes proposed include window alterations and provision of additional windows,

balcony details, changes to the internal layout and arrangement of the building blocks, changes to landscaping, changes to materiality, revisions to public lighting, slight amendments to the line of the foul sewer, revised bin and bike stores, amendments to car parking layout, amendments / change of use to the ancillary residential support areas and landscaping are all considered to be minor in the context of the scale of the overall development and are without planning consequence, such that the changes do not materially alter the appearance of the development or adversely impact on neighbouring third parties.

5.7.2. Furthermore, they do not give rise to the consideration of new planning issues. It is considered and submitted that overall they substantially enhance the scheme and result in a better quality living environment. It is submitted that these minor changes can largely occur within the terms of the governing permission and do not give rise to an environmental effect.

5.8. Floor Area Increase:

5.8.1. There is an overall increase in floor area of 998.2sqm which represents a 1.6% increase in the overall permitted floor area as a result of detailed design. The external wall thickness approved by the Board was 450mm but this has reduced to 405mm due to the scale of the buildings and the small brick dimension shifts.

5.8.2. A table is provided indicating the floor area increase for each block which I consider useful and copied herein.

Block	Permitted Floor Area	Proposed Floor Area	Increase
Block A	5384.6sqm	5535.8sqm	151.2sqm
Block B	9792.5sqm	9925.8sqm	133.3sqm
Block C	3425.6sqm	3495.4sqm	69.8sqm
Block D	3187.4sqm	3214sqm	26.6sqm
Block E	9861.2sqm	9994.8sqm	133.6sqm
Shop	138.3sqm	142.4sqm	4.1sqm
Block F	4181sqm	4185.6sqm	4.6sqm
Café	125.1sqm	137.8sqm	12.7sqm
Block G	10307sqm	10498sqm	191sqm
Block H	5282.7sqm	5400.1sqm	117.4sqm
Houses	5202.1sqm	5292.7sqm	90.6sqm
Creche	785sqm	800sqm	15sqm
Energy Centre	166sqm	221sqm	55sqm
Total	57,844.9sqm	58,843.1sqm	998.2sqm

Source: Copy of Table from Section 7.2 in Planning Statement

- 5.8.3. It is stated that the increase in the floor area for the Energy Centre (55sq.m) arose as a result of *inter alia* detailed consultation with Gas Networks Ireland.
- 5.8.4. The floor area increases arising in respect of each block of development primarily arose upon consideration of the DAC and FSC processes, which necessitated internal amendments and rearrangements of floor plans.
- 5.8.5. It is submitted that these minor changes can largely occur within the terms of the governing permission and do not give rise to an environmental effect.

5.9. Finished Floor Levels:

- 5.9.1. A change in finished floor level is proposed ranging from -525mm to +680mm, largely following a revised approach to cut and fill on site.
- 5.9.2. A reduction in the extent of cut will reduce the quantity of material being removed from the site. The proposed amendments will result in revised estimated volumes of cut and fill of subsoils, specifically 27,311m³ cut and 18,895m³ fill compared to an estimated 36,000m³ cut and 13,300m³ of fill in the consented development. With the proposed amendments the estimated excess subsoil to be disposed of offsite is now 8,416m³ compared to an estimated 22,400m³ granted under the consented development. The revised cut and fill strategy will result in the excavation of topsoil

amounting to 14,135m³ of which an estimated 3,000m³ will be reused around the site, with the surplus 11,135m³ topsoil being disposed of offsite. This compares favourably to the consented development where excavated topsoil amounted to 15,000m³

- 5.9.3. It is submitted that these minor changes can largely occur within the terms of the governing permission and do not give rise to an environmental effect. In fact, it is submitted that the proposed amendments give rise to an improved environmental position as they seek to reduce construction traffic movements and the quantity of waste removed from the site.

5.10. Plant at Roof Level

- 5.10.1. Upon consideration of detailed Mechanical and Electrical (M&E) considerations and the revised considerations to provide for greater energy efficiencies within the overall development, a decision was made to provide for PV Panels at roof level. The PV panels and other associated plant provided on the roof including smoke extraction and air ventilation units sit below the parapet of the buildings in compliance with condition no.13 of the Board's approval.

- 5.10.2. On three blocks of development, Block D, F and H, a new plant enclosure is proposed which projects above the parapet. The plant enclosure is necessary to comply with health & safety requirements and to facilitate safe access to and use of the proposed roof gardens by residents. In order to facilitate such modification, it is submitted that the Board may consider it necessary to amend condition no.13 of the Board's approval.

- 5.10.3. It is considered that the minor changes to the plant at roof level do not give rise to any new or additional planning issues and are without planning consequence. It is submitted to the Board that these minor changes can largely occur within the terms of the governing permission and do not give rise to an environmental effect.

5.11. Relocation of Attenuation Tanks and Replacement of Headwalls

- 5.11.1. Following detailed tender design and further onsite investigations, modifications are proposed to the permitted infrastructure on site. The modifications do not seek to modify the principles agreed in respect of the drainage strategy for the site, but rather alter the location of infrastructure proposed.

- 5.11.2. The permitted development proposed 2 no. attenuation tanks. The general location of the tanks are to remain as originally proposed but have been resized to optimise design. As the proposed attenuation tanks are deeper than those permitted, whereby Tank 1 was 1.8m below ground level and is now 2.4m and Tank 2 was 1.35m below ground level and is now 1.6m, a report has been prepared to provide an understanding of and assess potential impacts arising on the hydrogeological regime at the site. The report concludes that the impact of the revised attenuation tank design will have a neutral impact to the hydrogeological and hydrological regimes, similar to the original proposals.
- 5.11.3. The permitted foul sewer line was proposed east of the existing open drain flowing southwards in Shanganagh Park. The amendment proposes to relocate the sewer line to the west of the existing open drain, thereby ensuring less disturbance to adjoining sports pitches.
- 5.11.4. Following further ground investigation work and detailed design, additional in-channel works within existing drainage channels including the replacement of 2 no. existing headwalls was deemed necessary.
- 5.12. The requester concludes that the proposed alterations are not such that they would comprise a material alteration of the terms of the permitted development and also that, in the event that the Board considered that the development did comprise a material alteration, that the alteration would not be likely to have a significant effect on the environment.

6.0 Legislative Provisions

- 6.1. Section 146B of the Act provides for the alteration by the Board of a strategic infrastructure development in response to a request made of it. The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) has provided for a number of amendments to Section 146B of the Act and these amendments are reflected in the following outline of the legislative provisions.
- 6.2. Initially under the terms of section 146B(2)(a) the Board must decide as soon as practicable after the making of such a request, whether or not the making of a proposed alteration would constitute “the making of a material alteration of the terms

of the development concerned”. Section 146B(2)(b) provides that “before making a decision under this subsection, the Board may invite submissions in relation to the matter to be made to it by such person or class of person as the Board considers appropriate (which class may comprise the public if, in the particular case, the Board determines that it shall do so); the Board shall have regard to any submissions made to it on foot of that invitation”.

- 6.3. Alteration not a material alteration - Section 146B(3)(a) states that “if the Board decides that the making of the alteration would not constitute the making of a material alteration of the terms of the development concerned, it shall alter the planning permission, approval or other consent accordingly and notify the person who made the request under this section, and the planning authority or each planning authority for the area or areas concerned, of the alteration”.
- 6.4. Alteration is a material alteration - Section 146B(3)(b) provides that if the Board decides that the making of the alteration would constitute the making of such a material alteration, it shall - “(i) by notice in writing served on the requester, require the requester to submit to the Board the information specified in Schedule 7A to the Planning and Development Regulations 2001 in respect of that alteration, or in respect of the alternative alteration being considered by it under subparagraph (ii)(II), unless the requester has already provided such information, or an environmental impact assessment report on such alteration or alternative alteration, as the case may be, to the Board, and
- (ii) following the receipt of such information or report, as the case may be, determine whether to —
- (I) make the alteration,
- (II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or
- (III) refuse to make the alteration”.
- 6.5. In respect of Section 146B(3)(b)(i), the Act states at subsection 3(A), (as amended by European Union (Planning and Development) (Environmental Impact

Assessment) Regulations 2018 (S.I. No. 296 of 2018)), that “*where the requester is submitting to the Board the information referred to in subsection (3)(b)(i) , that information shall be accompanied by any further relevant information on the characteristics of the alteration under consideration and its likely significant effects on the environment including, where relevant, information on how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account*”. Subsection (3B) as amended by same, states that “*where the requester is submitting to the Board the information referred to in subsection (3)(b)(i) , that information may be accompanied by a description of the features, if any, of the alteration under consideration and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the alteration*”.

6.6. Section 146B(4) provides that before making a determination under subsection (3)(b)(ii), the Board shall determine whether (a) the extent and character of the alteration requested under subsection (1), and (b) any alternative alteration under subsection (3)(b)(ii)(II), are such that the alteration, were it to be made, would be likely to have significant effects on the environment (and, for this purpose, the Board shall have reached a final decision as to what is the extent and character of any alternative alteration the making of which it is so considering).

6.7. Section 146B(4A) states as follows:

(a) Subject to paragraph (b), within 8 weeks of receipt of the information referred to in subsection (3)(b)(i) , the Board shall make its determination under subsection (4) .

(b) Subject to paragraph (c), the Board shall not be required to comply with paragraph (a) within the period referred to in paragraph (a) where it appears to the Board that it would not be possible or appropriate, because of the exceptional circumstances of the alteration under consideration (including in relation to the nature, complexity, location or size of such alteration) to do so.

(c) Where paragraph (b) applies, the Board shall, by notice in writing served on the requester before the expiration of the period referred to in paragraph (a) , inform him or her of the reasons why it would not be possible or appropriate to comply with

paragraph (a) within that period and shall specify the date before which the Board intends that the determination concerned shall be made.

6.8. Section 146B(5) states that “if the Board determines that the making of either kind of alteration referred to in subsection (3)(b)(ii) —

(a) is not likely to have significant effects on the environment, it shall proceed to make a determination under subsection (3)(b)(ii), or

(b) is likely to have such effects, the provisions of section 146C shall apply”.

6.9. Section 146B(6) states that “if, in a case to which subsection (5)(a) applies, the Board makes a determination to make an alteration of either kind referred to in subsection (3)(b)(ii), it shall alter the planning permission, approval or other consent accordingly and notify the person who made the request under this section, and the planning authority or each planning authority for the area or areas concerned, of the alteration”.

6.10. Section 146B(7)(a) states that “in making a determination under subsection (4) , the Board shall have regard to —

(i) the criteria for the purposes of determining which classes of development are likely to have significant effects on the environment set out in any regulations made under section 176,

(ii) the criteria set out in Schedule 7 to the Planning and Development Regulations 2001,

(iii) the information submitted pursuant to Schedule 7A to the Planning and Development Regulations 2001,

(iv) the further relevant information, if any, referred to in subsection (3A) and the description, if any, referred to in subsection (3B) ,

(v) the available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive, and

(vi) in respect of an alteration under consideration which would be located on, or in, or have the potential to impact on —

(I) a European site,

(II) an area the subject of a notice under [section 16 \(2\)\(b \)](#) of the [Wildlife \(Amendment\) Act 2000](#) (No. 38 of 2000),

(III) an area designated as a natural heritage area under [section 18](#) of the [Wildlife \(Amendment\) Act 2000](#),

(IV) land established or recognised as a nature reserve within the meaning of [section 15](#) or [16](#) of the [Wildlife Act 1976](#) (No. 39 of 1976),

(V) land designated as a refuge for flora or a refuge for fauna under [section 17](#) of the [Wildlife Act 1976](#),

(VI) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area plan, or proposed variation of a development plan, for the area in which the development is proposed, or

(VII) a place or site which has been included by the Minister for Culture, Heritage and the Gaeltacht in a list of proposed Natural Heritage Areas published on the National Parks and Wildlife Service website,

the likely significant effects of such alteration on such site, area, land, place or feature, as appropriate”.

Subsection (b) states that “the Board shall include, or refer to, in its determination under subsection (4) the main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 to the Planning and Development Regulations 2001, on which the determination is based”.

- 6.11. Section 146B(7A) states that “where the determination of the Board under subsection (4) is that the alteration under consideration would not be likely to have significant effects on the environment and the applicant has, under subsection (3B) , provided a description of the features, if any, of the alteration concerned and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the alteration concerned, the Board shall specify such features, if any, and such measures, if any, in the determination.
- 6.12. Under section 146B(8) before the Board makes a determination under sections 146B(3)(b)(ii) or 146B(4), it is required to make, or require the requester to make, information relating to the request available for inspection to certain persons and/or

the public. Submissions and observations are to be invited and the Board is required to have regard to any such submissions or observations received.

- 6.13. Section 146C relates to the preparation of environmental impact statement for purposes of section 146B and applies to a case where the determination of the Board under section 146B(4) is that the making of either kind of alteration referred to in section 146B(3)(b)(ii) is likely to have significant effects on the environment.

7.0 **Assessment**

7.1. **Consideration of materiality**

- 7.1.1. As indicated in the preceding section, the first consideration in relation to this request to alter the terms of ABP Ref. 306583-20 is to determine if the making of the alteration would constitute the making of a material alteration of the terms of the residential development as granted.
- 7.1.2. As I referred to in section 4.1 above, the individual detail of each amendment requested has been set out by the requester. I draw the Board's attention to section 5.0 of the Planning Statement which is repeated below. The requester has set out the proposed alterations for each block and for ease of reference, I intend to follow this list to consider the materiality and then address the overall proposal.
- 7.1.3. Having regard to the quantity of amendments requested, I consider it of assistance to review the description of development for which permission was initially granted in July 2020. The site notice described the development as follows:

The development includes the demolition of an existing house, glass houses and maintenance buildings located within the Parks Maintenance Depot. The proposed development seeks the construction of 597 no. residential units (ranging from 1 – 6 stories in height with 1 no. block comprising a seventh storey setback) in a combination of housing, apartment and Build to Rent apartment units. A total of 51 no. two and three storey, detached (1 no.), semi-detached (14 no.) and terraced (36 no.) houses are proposed (21 no. 2 bed and 30 no. 3 bed) which are affordable units intended for sale, 40 no. apartments (Block F) which are also affordable units intended for sale and 506 no. Build to Rent apartments (consisting of 200 social units

and 306 cost rental units). The apartments and Build to Rent apartments are provided in 8 no. blocks as follows:

- Block A – 6 storeys comprising 61 no. apartments (6 no. studio; 25 no. 1 bed; 19 no. 2 bed; and 11 no. 3 bed)
- Block B – 6 / 5 / 4 storeys comprising 101 no. apartments (12no. studio; 13 no. 1 bed; 65 no. 2 bed; and 11 no. 3 bed)
- Block C – 5 storeys comprising 33 no. apartments (1 no. studio; 25 no. 2 bed; 7 no. 3 bed)
- Block D – 5 / 3 storeys comprising 35 no. apartments (18 no. 1 bed; 8 no. 2 bed; 7 no. 3 bed and 2 no. 4 bed)
- Block E- 6 / 4 storeys comprising 104 no. apartments (47 no. 1 bed; 42 no. 2 bed; and 15 no. 3 bed)
- Block F – 6 storeys comprising 40 no. apartments (10 no. 1 bed and 30 no. 2 bed)
- Block G – 6 / 5 storeys with 7 storey set back comprising 111 no. apartments (10 no. studio; 26 no. 1 bed; 62 no. 2 bed; and 13 no. 3 bed)
- Block H - 6 storeys comprising 61 no. apartments (26 no.1 bed; 30 no. 2 bed; and 5 no. 3 bed)

Flexibility is sought in respect of the number of apartments to be delivered in Blocks E and H such that 2 no. 1 bed units and 2 no. 2 bed units may be amalgamated, should the need arise, into 2 no. 4 bed apartments thereby reducing overall unit provision in Blocks E from 104 no. units to 103 no. units and Block H from 61 no. units to 60 no. units and reducing the overall number of units within the development to 595 units.

The residential units are structured such that (a) 91 no. units (51 no. houses and 40 no. apartments comprising Block F) are affordable units intended for sale; (b) 200 no. BTR units including Blocks D, E and H are social units; and (c) the remaining 306 no. BTR units including Blocks A, B, C and G are cost rental units.

The proposed development provides for (i) resident services and amenities including (a) Gym; (b) residents lounge/cinema room; (c) Function Room; (d)

Gallery/Community Room; (e) 2 no. Lounge areas; (f) Business pods; and (g) Co-Working Office units; and (ii) resident support facilities including (a) Concierge Facilities; (b) Parcel /Store Room; (c) Central Energy Centre; (d) waste management areas; and (e) bike storage rooms.

Provision is also made for a (i) crèche facility with capacity to accommodate 107 no. children; (ii) local shop of 103sqm (NFA) and (iii) local café of circa 125sqm.

Associated site and infrastructural works include provision for (i) water services, foul and surface water drainage and associated connections across Shanganagh Park to the proposed Woodbrook residential scheme; (ii) attenuation proposals including permeable paving, green roofs and swales; (iii) all landscaping works including (a) regeneration of the existing pond within the Demesne; (b) provision of playground and kick about areas; and (c) new pedestrian and cycle connections through the adjoining parkland to the south to facilitate a future connection to the proposed Woodbrook DART station; (iv) 365 no. car parking spaces and 1,318 no. bicycles spaces; (v) 5 no. ESB substations; and (vi) external plant and services.

The development comprises works to the existing Shanganagh Castle entrance to the Dublin Road, including relocation of the existing entrance to the north; upgrade works to facilitate a signalised junction; and provision of a separate pedestrian access. The existing Shanganagh Castle Entrance shall remain operational on a temporary basis to facilitate construction traffic. Site development works are also proposed within the curtilage of the Gate Lodge, located outside of the subject site, at the north-west corner (protected structure).

7.1.4. The parent application was accompanied by an EIAR and an AA Screening Statement.

7.2. **Methodology of assessment:**

7.2.1. I have detailed below the proposed amendments as described in the Planning Statement and where of assistance included the applicant's rationale for the changes. I have included in *italics* my assessment of the specific amendment below each bullet point or sentence as appropriate, followed by a general assessment of materiality of overall changes proposed for each block.

7.3. **Block A**

7.3.1. The total floor area of Block A has increased by 151.2sqm from 5,384.6sqm to 5,535.84sqm. The change largely resulted from the additional provision of an internal corridor which was added west of the stairs from the basement tank room, necessitated by the FSC.

➤ *The increase in floor area amounts to c.2.8% - not material*

In addition to the Energy Centre (addressed separately below) the following changes have been made to Block A:

- The service stairs to the tank room in the basement has been relocated and a new corridor added west of the stairs;
 - *I refer to Architect's drawing 778_PA2111. The amendment occurs at basement level and internally. It will have no change in impact to visual or residential amenities – not material*
- A significant area of communal amenity space has been provided adjoining the apartments to the west with a new internal access to the space and revised glazing to the apartments;
 - *I refer to Architect's drawing 778_PA2111, Landscape drawing SHNG-ACM-00-ZZ-DR-LA-1001 and Landscape and Public Realm Amendment Report (Landscape Report). The Landscape Report states that the Block A private amenity space to the east of the playground has increased in size and includes shrub and lawn planting. I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of landscape or visual amenity – not material*
 - *I refer to Architect's drawing 778_PA2212 West Elevation. The revised glazing and the wall and railings proposed would not result in additional impacts to those previously assessed in terms of visual amenity or residential amenity – not material*
- A ground floor three bed apartment has been swapped with a 2 bed apartment on the fifth floor in order to accommodate internal access to the ground floor communal amenity area;

- *No change to the number or unit type proposed – internal modifications. There will be no additional impacts to those previously assessed in terms of Population and Residential Amenities – not material*
- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;
 - *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*
- Internal and external modifications to the entrance lobby and core and service area within the building;
 - *I refer to Architect's drawing 778_PA2111. The majority of the amendments are internal to the building and internal to the block layout. There will be no change to the impact on Population, Visual Amenity or Residential Amenity not previously assessed – not material*
- The permitted gym use has been changed to a media room, with revised entrance and window arrangements, to ensure greater passive surveillance onto the public square (Gym is relocated to Block G);
 - *I refer to Architect's drawing 778_PA2111 and 778_PA2211. While the gym has been relocated the facilities within the overall development have not changed. The modifications to the glazing will not result in a change to the Population, Visual or Residential amenity not previously assessed – not material*
- The footprint of the building (excluding the increased area of the Energy Centre) has increased by 32.7sqm, with a resultant decrease in separation distance between Block A and Block E by 380mm;
 - *I refer to Architect's drawing 778_PA1120. A 32.7sq.m increase in footprint is not material having regard to the overall footprint of the building. The drawing indicates that there is revised 17.3m between*

Block A and Block E at the nearest point. I am of the opinion that a 0.38m reduction does not result in an increased impact in terms of Population, Visual Impact or Residential Amenities having regard to the minor nature of the change – not material.

- The finished floor area across all floors has changed by between +75mm to +680mm partially due to the revised cut and fill strategy on site. The 680mm increase was to Level 06 to allow for increased roof garden build-up on Level 05 below;
 - *I refer to the two elevation drawings 778_PA2111 and 778_PA2211. It is stated that the changes follow a revised cut and fill approach. Having regard to the overall minor impact of +/- 25mm on the parapet level, I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of landscape or visual amenity – not material*
- Parapet level has been modified +/-25mm following alignment of the building design to brick dimensions;
 - *As above - Having regard to the overall minor impact of +/- 25mm on the parapet level, I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of landscape or visual amenity – not material*
- PV Solar panels and roof plant provided.
 - *I refer to drawings 778-PA2114 Roof layout, 778_PA2211 and 778_PA2212 Elevations. The plant is below the parapet level. I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of visual amenity – not material*

7.3.2. As noted above, I am satisfied that the individual proposed amendments are minor in nature and would not result in additional impacts not already assessed as part of the parent permission. While the gym is being replaced by a media room, the gym is not being omitted and will be part of the overall scheme relocated to Block G.

7.3.3. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block A proposed that could not have been anticipated in the development.

7.3.4. I am of the opinion, having considered the alterations to the Block A design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to Block A the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.4. **Block B1 & B2**

7.4.1. The floor area of Block B has increased by 133.3sqm from 9,792.55sqm to 9,925.8sqm. It is stated that although the permitted drawings reflected a building with a floor area of 9,792.55sqm at planning stage, the top floor of Block B1 was omitted from the accompanying area schedule meaning that the area schedule recorded Block B as being 9,545.6sqm, which was incorrect.

- *I note the minor increase in floor area proposed. I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of visual amenity – not material*

In addition to the change in floor area the following changes have been made to Block B:

- Changes are proposed to the material palette whereby some of the concrete panels and bases and the metal cladding have been replaced with brick;
 - *I refer to drawing 778_PA2221. I am satisfied that the material palette changes proposed, including the replacement of concrete panels and metal cladding panels to brick, as well as the addition of fibre cement cladding, are within the interior of the overall development and I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of visual amenity – not material*

- The internal courtyard has been comprehensively landscaped to take account of layout changes and repositioning of doors and windows;
 - *I refer to Landscape Drawing SHNG-ACM-00-ZZ-DR-LA-1002. I note that the amendments are to the internal courtyard and involve amendments following Arborist recommendations. I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of visual or residential amenity – not material*
- Revised entrance lobby and bin store area with revisions to the core service and amenity areas in each buildings Block;
 - *I refer to Drawing 778_PA2121. The proposed amendments are internal to the building. I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of visual or residential amenity – not material*
- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;
 - *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*
- The Juliet balconies have been replaced with windows with a larger window added to Stair Core 3 to provide for more natural light;
 - *I refer to drawing 778_PA2221, and 2222. The changes do not result in additional overlooking and the block itself is internal to the site. I am satisfied that this proposed amendment does not result in impacts arising in addition to those previously assessed in terms of visual or residential amenity for either existing or future residents – not material*
- The permitted Residents Lounge is to be used as an Estate Managements Office with the Residents Lounge relocated to Block E;

- *There is no change to the facilities available throughout the development – not material*
- The footprint of Block B1 has increased by 2.18sqm and B3 has increased by 2.2sqm with a resultant decrease in separation distance between Block B and the terrace of houses by 180mm;
 - *This increase is minor and will not result in any additional overlooking or impact on visual or residential amenities not already assessed – not material*
- The finished floor area to the core area of Block 1 has reduced by 525mm whilst the core to Block B2 has increased by 275mm;
 - *Drawing 778_PA2321 refers. There is no change to the visual or residential amenities not previously assessed – not material*
- Parapet levels have been reduced by 75mm following alignment of the building design to brick dimensions;
 - *Elevation and Section Drawings refer. The change is minor and will not change the visual impact already assessed – no material*
- PV Solar panels and AOV smoke plant provided at roof level; and
 - *Below parapet level – no visual impact – not material*
- Revised bin and bike storage with a generator added to the courtyard within Block B2.
 - *Internal to the block – no visual impact – not material*

7.4.2. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block B proposed that could not have been anticipated in the development.

7.4.3. I am of the opinion, having considered the alterations to the Block B design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed

alterations to Block B the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.5. Block C:

7.5.1. The floor area of Block C has increased by 69.8sqm from 3,425.6sqm to 3,495.41sqm.

- *This amounts to 2% over the full block – this is minor and will not result in a change to impacts on population, visual or residential amenities not previously assessed – not material*

7.5.2. In addition to the change in floor area the following changes have been made to Block C:

- Revised entrance lobby, comms and switch rooms added;
 - *Drawing 778_PA2121 refers. Changes are minor and internal to the building – no change to visual or residential amenities – not material*
- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;
 - *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*
- Studio apartment entrance relocated to provide direct access to courtyard;
 - *Drawing 778_PA2121 refers - Change is internal to the block – no change in standards or visual or residential amenities – not material*
- A third floor window on the northern elevation is removed with the glazing to the recessed balconies on the western elevation reduced;
 - *Drawing 778_PA2221 and 778_PA2321 refers. Change is internal to the block and will not have a changed impact on visual amenities – not material*
- Garden wall replaced with railing;

- *Drawing 778_PA2121 refers. There is no change in visual impact to that already assessed – not material*
- Change is proposed to the material palette whereby the proposed brick to the recessed entrance is replaced with fibre cement fibre board cladding;
 - *Entrance is internal and there is no change in visual impact – not material*
- The overall footprint of Block C has increased by 9.73sqm with a resultant change in separation distance between Block B and Block C of 115mm;
 - *Change is minor and there is no change in visual or residential amenities – not material*
- Parapet levels have been reduced by 75mm following alignment of the building design to brick dimensions; and
 - *Drawings 778_PA2221, 2222, 2223 and 2321 refer - Change is minor and there is no change in visual or residential amenities – not material*
- PV Solar panels and roof plant provided.
 - *Below parapet level – no change in visual amenities – not material*

7.5.3. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block C proposed that could not have been anticipated in the development.

7.5.4. I am of the opinion, having considered the alterations to the Block C design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to Block C the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.6. **Block D:**

7.6.1. The floor area of Block D has increased by 26.6sqm from 3,187.4sqm to 3,214.03sqm.

- *The overall increase is less than 1% and is minor – not material*

7.6.2. In addition to the change in floor area the following changes have been made to Block D:

- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;
 - *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*
- Revised entrance lobby, plant, bin and bike store;
 - *Drawing 778_PA2141 refers. Changes are minor and internal to the development. There will be no change in visual or residential amenity – not material*
- Increased glazing to eastern elevation;
 - *Drawing 778_PA2241 refers. Windows and door elevations have been revised. There will be no change to the visual or residential amenities not previously assessed – not material*
- Concrete cladding replaced with metal cladding along with revised south and west elevations and the removal of concrete banding from elevations;
 - *Drawing 778_PA2241 refers. Modifications add to visual amenities – not material*
- Revised entrance canopy;
 - *Drawing 778_PA2141 refers. Changes are minor and on the western internal façade facing towards the development. There is no change to the impact assessed and there will be no change in visual or residential amenities – not material*
- Minor modifications to windows and reveals to include mirroring of windows at identified locations;
 - *Drawing 778_PA2241 refers. There will be change to visual or residential amenities – not material*

- The footprint of Block D has increased by 0.11sqm with a resultant increase in of 80mm between Block D and House D2;
 - *A distance of 18340mm is now proposed as per Drawing 778_PA1120. I am satisfied that an 80mm increase will not result in a change to overlooking, visual or residential amenities not previously assessed – not material*
- The finished floor area has increased by 75mm;
 - *As per the other blocks I am satisfied that this minor increase is not material*
- Parapet levels have been reduced by between -35 / -40mm following alignment of the building design to brick dimensions; and
 - *Having regard to the minor change I am satisfied that this will not change the impact to visual or residential amenities – not material*
- PV Solar panels and AOV smoke plant along with a roof terrace riser provided at roof level with protective fencing which will exceed the parapet height contrary to condition no.13 of the grant of permission.
 - *Condition no.13 stated “No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission. Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area”.*
 - *Drawing 778_PA2142 indicates the changes proposed at roof level in plan layout. The Landscape Architect’s Report illustrates the changes at roof level from the original permission. Drawing 778_PA2241 illustrates the changes in elevation. Having regard in particular to the elevation drawings I am satisfied that the changes are minor and would not result in any change to the visual impact not already assessed.*
 - *While it could be contended that this is contrary to the condition and therefore material, when the scale of the amendment is considered, as*

well as importantly the reason for the condition, I am satisfied that the Board would not consider the change to cause a greater visual or residential amenity impact to that already assessed and therefore I am satisfied that it is not material.

7.6.3. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block D proposed that could not have been anticipated in the development.

7.6.4. I am of the opinion, having considered the alterations to the Block D design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to Block D the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.7. Block E:

7.7.1. The floor area of Block E has increased by 133.6sqm from 9,861.2sqm to 9,994.8sqm.

➤ *The proposed change is c.1.35% overall – not material*

7.7.2. Within Block E it is stated that the floor area of the permitted shop has also increased by 4.14sqm from 138.3sqm to 142sqm. The net floor area remains at 103sqm as originally consented by the Board.

➤ *No change to net floor area – not material*

In addition to the change in floor area the following changes have been made to Block E:

- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;

➤ *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*

- Revised entrance lobbies and internal amendments to the stairs in Core 2 & 4 with comms and switch rooms added. Canopy, signage and metal cladding added to entrances;
 - *Drawing 778_PA2151, 2251 and 2252 refer. The changes are mainly internal to the block and will not have any additional visual or residential amenity impact to that previously assessed – not material*
- Revised bin and bike storage areas;
 - *No change to visual or residential amenity – not material*
- Revised slab depth to permitted shop and revised glazing arrangement;
 - *No change to visual or residential amenity – not material*
- Revised slab depth and balustrade arrangement to balconies;
 - *No change to visual or residential amenity – not material*
- Revised garden walls with gates added;
 - *This is not clearly called out on the drawings submitted – see ‘window and door arrangement modified’ on drawing 778_PA2151. However when compared to the original ground floor of Block E (778_PA2151) it is clear that gates have been inserted in the walls around the ground floor apartments and the walls are now brick. This adds to the privacy of the residents and will have no impact on the visual amenities of the development – not material*
- The use of the Gallery/Community Room and Resident's Lounge to be changed to a Community Centre / Multi-function space and the Residents Support Facility is to change to use as a Resident's Lounge (Support Facilities relocated to Block B1);
 - *While the facilities have been relocated there is no change over the entire development to the range of facilities available. There is no change to the residential amenities – not material*
- The footprint of Block E has increased by 55.23sqm with a resultant decrease in 375mm separation distance between Block E and Block A;

- *There will be no change to the visual impact assessed. The increase of 375mm is minor – not material*
- The finished floor area has increased by between +50 /+100mm;
 - *This is minor and there will not be a change to visual impact – not material*
- Parapet levels have been raised by between +30 / +170mm following alignment of the building design to brick dimensions;
 - *This is minor and there will not be a change to visual impact – not material*
- Provision of new PV Solar panels and AOV smoke plant; and
 - *These are below the roof parapet – not material*
- Improved landscaping to the courtyard.
 - *Landscape Drawing and Report refer. This is internal and will improve amenities – not material*

7.7.3. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block E proposed that could not have been anticipated in the development.

7.7.4. I am of the opinion, having considered the alterations to the Block E design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to Block E the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.8. **Block F:**

7.8.1. The floor area of Block F has increased by 4.6sqm from 4,181sqm to 4,185.6sqm.

- *This is a minor increase – not material*

7.8.2. Within Block F it is stated that the floor area of the café has also marginally increased by 12.78sqm from 125.1sqm to 137.88sqm.

- *I consider the proposed increase to be minor and will not result in any impacts not previously assessed. I note on drawing 778_PA2161 the space is referred to as 'retail'. In the interest of clarity this is referred to as a café on the original drawings and referred to as such in the Planning Statement (June 2021). There is no reference to a proposed change of use and as such its use remains as a café – not material*

7.8.3. In addition to the change in floor area the following changes have been made to Block F:

- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;
 - *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*
- Revised entrance lobby, bin and bike store;
 - *No change to visual or residential amenity – not material*
- Balustrade added to the north and east elevation;
 - *Drawing 778_PA2261 refers. Minor change – no change in impact on visual amenities – not material*
- A louvre panel is proposed to the café glazing;
 - *Drawing 778_PA2261 refers. Minor change – no change in impact on visual amenities – not material*
- Doors on the south and west elevation at ground floor level have been replaced with louvered doors and openable window vents have been added to meeting room windows;
 - *Drawing 778_PA2261 refers. Minor change – no change in impact on visual amenities – not material*
- The finished floor level on the ground floor has been lowered by between -50/-100mm and raised on remaining floors by between +75 / +425mm;

- *Minor change – no change in impact on visual amenities – not material*
- Parapet levels have been increased by 50mm following alignment of the building design to brick dimensions;
 - *Minor change – no change in impact on visual amenities – not material*
- PV Solar panels and AOV smoke plant along with a roof terrace riser provided at roof level with protective fencing which will exceed the parapet height contrary to condition no.13 of the grant of permission; and
 - *As per block D*
- Change of use of permitted Business Pods to use as meeting rooms with the permitted Lounge/Dining Area to be used as Business Pods.
 - *No change to overall facilities – not material*

7.8.4. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block F proposed that could not have been anticipated in the development.

7.8.5. I am of the opinion, having considered the alterations to the Block F design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to Block F the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.9. **Block G:**

7.9.1. The floor area of Block G has increased by 191sqm from 10,307sqm to 10,498sqm.

- *This increase is less than c.1.8% - not material*

7.9.2. In addition to the change in floor area the following changes have been made to Block G:

- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;

- *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*
- Additional detail to front gardens including gates and railings;
 - *This is not clearly called out on the drawings submitted –drawing 778_PA2171. However when compared to the original ground floor of Block G (778_PA2171) it is clear that gates have been inserted in the walls around the ground floor apartments. This adds to the privacy of the residents and will have no impact on the visual amenities of the development – not material*
- Revised entrance lobbies and internal amendments to the stair cores with comms and switch rooms added;
 - *Drawing 778_PA2171 refers. These are internal amendments to the block or the development and will not change the visual impact assessed – not material*
- Provision of a generator room adjacent to the permitted bike store;
 - *Internal amendments – not material*
- Revised glazing to the recessed apartment on the northern elevation and additional windows added to the southern and eastern elevation;
 - *Drawing 778_PA2271 refers. No change to the visual or residential amenities assessed – not material*
- Height of the entrance recess increased on the southern elevation;
 - *Assumed to be a typo and refers to west and east elevation modifications as per Drawing 778_PA2272. No change to the visual impact – not material*
- Revised recessed balconies to the south-west corner and east elevation;
 - *No change to visual impact – not material*

- Alterations to existing windows and door arrangements at ground floor level, including provision of a louvered door on the western elevation;
 - *Drawing 778_PA2272 refers. No change to visual impact – not material*
- Sixth floor concrete banding removed;
 - *Material palette changes – this is normally detail that would be subject to a condition to be agreed with the PA – not material*
- The footprint of Block G has increased by 13.87sqm with an increase in separation distance of 220mm between Block G and the Dublin Road;
 - *This is a minor increase having regard to distance previously assessed – not material.*
- The finished floor level on the ground floor has been altered by between - 225mm and +100mm with upper floors raised by +75mm;
 - *No change to visual impact assessed – not material*
- Parapet levels have been increased by +75mm following alignment of the building design to brick dimensions;
 - *No change to visual impact assessed – not material*
- PV Solar panels and AOV smoke plant along with a roof terrace riser provided at roof level with protective fencing which will exceed the parapet height contrary to condition no.13 of the grant of permission; and
 - *As per Block D*
- Change of use of permitted Co Working units to use as a Gym (Co-Working Units relocated to Block F).
 - *No change to facilities provided – no impact on residential amenities – not material*

7.9.3. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block G proposed that could not have been anticipated in the development.

7.9.4. I am of the opinion, having considered the alterations to the Block G design and having considered the proposal as granted under ABP Ref. 306583, that the Board

would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to Block G the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.10. **Block H:**

7.10.1. The floor area of Block H has increased by 117.4sqm from 5,282.7sqm to 5,400.1sqm.

➤ *The increase over the entire block is c.2.2% - not material*

7.10.2. In addition to the change in floor area the following improvements have been made to Block H:

- Minor revisions to floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018; The ground floor 2B4P units have been redesigned to Universal Design compliance;
 - *I refer to the HQI Schedule demonstrating compliance with the Guidelines. No changes to apartment numbers or a reduction in standards are proposed, therefore I am satisfied that there is no change in impact to Population and Residential Amenity previously assessed - not material*
- Revised entrance lobbies with metal cladding added to recessed entrances on western elevation, provision of additional switch room and provision of risers;
 - *Drawing 778_PA2181 and 2281 refer. Most of these amendments are internal to the building. The external amendments do not change the visual impact – not material*
- Revised bin store and tank room arrangement;
 - *Drawing 778_PA2181 refers. Internal modifications – not material*
- Revised glazing and cladding to ground floor level with provision of louvered doors and the provision of new columns beneath the cantilever on the southern elevation;

- *Minor modifications which do not change the visual or residential amenities. The southern façade will be surrounded by landscaping and is internal to the overall development – not material*
- Provision of a recessed balcony to the eastern elevation, provision of a balcony with glazing to the corner apartment on the fifth floor and extension of first floor balcony on the northern elevation;
 - *Drawing 778_PA2281 refers. The recessed balcony on the eastern elevation is at the ground floor and provides improved residential amenities and does not change the visual impact – not material*
 - *When comparing the 5th floor balcony on the original vs. revised elevations, the balcony already extended beyond the building line in terms of visual impact. The addition of a corner balcony does not change the visual impact previously assessed – not material*
- South elevation sixth floor façade opening provided on the southern elevation;
 - *Drawing 778_PA2281 refers. I am of the opinion that the opening adds to the visual amenities but does not increase the overall height or detract from the amenities – not material*
- The footprint of Block H has increased by 12.53sqm with an associated decrease in separation distance between Block H and the site boundary with Shanganagh Park by 1285mm;
 - *I consider this change in footprint to be minor. I note that the decrease in separation distance is to the boundary with the park and will not impact on visual or residential amenities – not material*
- The finished floor level on the ground floor has been raised by +75mm;
 - *Minor in scale – not material*
- Parapet levels have been increased by +75mm following alignment of the building design to brick dimensions;
 - *Minor in scale – not material*

- PV Solar panels and AOV smoke plant along with a roof terrace riser provided at roof level with protective fencing which will exceed the parapet height contrary to condition no.13 of the grant of permission; and
 - *See Block D above*
- Revised landscaping to roof terrace and concrete banding removed from elevations.
 - *The Landscape Report refers. The changes are minor and will have no change to the impact on visual impact not previously assessed – not material*

7.10.3. Having regard to the parent permission description of development, I am satisfied that there are no changes to Block H proposed that could not have been anticipated in the development.

7.10.4. I am of the opinion, having considered the alterations to the Block H design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to Block H the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.11. Houses:

7.11.1. The floor area of the houses has increased by 90.6sqm from 5,202sqm to 5,292.7sqm.

- *The increase is c.1.7% - not material*

7.11.2. The setting out of the crescent of houses on the northern boundary neighbouring Castle Farm has resulted in some minor adjustments to the position of the houses relative to the site boundary. The changed separation distances for each unit are highlighted below:

House Type	Distance of House to Boundary	Ridge Height
A1	-230mm	-685mm
A2	-100mm	
A3	-140mm	
B1	No measurement	-70mm
B2	+410mm	
B3	+550mm	
C	+115mm	
		-60mm

House Type	Distance of House to Boundary	Ridge Height
B4	+70mm	-70mm
B5	-70mm	
B6	-190mm	
B7	-50mm	
D1	-30mm	-65mm
D2	-375mm	

Source: Section 5.9 of Planning Statement

- *The changes in dimensions serve to reduce the ridge height and having regard to the layout of the houses in relation to Castle Farm, the change to the boundary dimensions are minor – not material*

Other changes include:

- Ground floor FFL has been changed between -375mm to +180mm;
 - *There will be no change to the visual impact previously assessed – not material*
- Revised bin and bike storage with provision of additional mini pillars;
 - *Internal changes (rear garden) – not material*
- Modifications to internal floor plans with recessed entrances provided to the middle houses to enhance visual variety;
 - *Internal changes – no change to visual impact – not material*
- Meter cupboards added to all houses;
 - *Minor change to the façade – not material*
- South elevation ground floor windows mirrored in House Type A and B;
 - *When compared to the original drawing 778_PA3282, minor change to the façade – not material*
- Roof lights added to bathrooms in House Type A, ground floor window added to bathrooms on north elevation in House Type B & D, and first floor window added to bathrooms on west elevation in House Type C;

- *Drawing 778_PA2195, 2196, 2197 & 2198 refer. Bathroom windows will be opaque and other ground floor windows will add to the residential amenities of the future occupants. There will be no change to the visual impact previously assessed – not material*
- Modifications to windows in House Type C includes provision of additional ground floor window to kitchen/dining area on southern elevation, replacement of ground floor window on northern elevation with a door, lowering of first floor window to stair landing, removal of ground floor window on the eastern elevation and replacement of door with window; and
 - *Drawing 778_PA2197 refers. There will be no change to the visual or residential amenities assessed – not material*
- Modifications to extent and type of brick used on front elevations of houses.
 - *When compared to the original drawing 778_PA3282 there will be a minor detail change to the material palette – not material*

7.11.3. Having regard to the parent permission description of development, I am satisfied that there are no changes to the crescent houses proposed that could not have been anticipated in the development.

7.11.4. I am of the opinion, having considered the alterations to the housing design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to crescent housing the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.12. Terrace Housing:

- Minor modifications are proposed to the layout plans including the provision of meter cupboards;
 - *Internal and minor external changes – not material*
- Revisions to the extent of rainscreen cladding;

- *Detail of material palette – not material*
- Provision of rooflights to bathrooms of typical 2-storey terrace units;
 - *Drawing 778_PA2123 refers – no change to visual impact – not material*
- Change of roof of typical 3-storey terrace house and corner houses to pitched roof;
 - *Drawing 778_PA2321 refers – no change to the visual impact – not material*
- Revised glazing arrangement to the north elevation corner house including increased area of glazing on the eastern elevation and wall opening above switch room;
 - *Drawing 778_PA2221 refers – no change to visual impact – not material*
- The overall footprint of the 36 no. terraced housing units has decreased by 12.53sqm;
 - *Across all units this is minor – not material*
- The finished floor area of the terraced units has been varied between +175mm and -125mm;
 - *Drawing 778_PA2221 refers – no change to visual impact – not material*
- Parapet levels have been varied by -50mm and +250mm following alignment of the building design to brick dimensions; and
 - *There will be no change to visual impact not previously assessed – not material*
- Revised bin and bike storage to the terraced units with gates and railings added to the front gardens.
 - *Drawing 778_PA2221 refers – no change to visual impact – not material*

7.12.1. Having regard to the parent permission description of development, I am satisfied that there are no changes to the terraced houses proposed that could not have been anticipated in the development.

7.12.2. I am of the opinion, having considered the alterations to the housing design and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to terraced housing the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.13. Creche:

- The footprint of the creche has increased by 15sqm with minor internal modifications from a permitted 785sqm to 800sqm;
 - *This is a minor change in area, being less than 2% - not material*
- Roof mounted plant is being retained and 1 no. roof light has been added along with increased glazing to the butterfly roof thereby enhancing provision of natural light;
 - *No change to visual impact – not material*
- Increase used of brick on the elevations of the creche in lieu of render and the provision of an additional door on the north west elevation; and
 - *Drawing 778_GA2101 refers. Minor changes to the facades – not material*
- Courtyard has been removed as it was an error on the submitted site drawing. The Ground Arrangement Plan was correct.
 - *Not material*

7.13.1. Having regard to the parent permission description of development, I am satisfied that there are no changes to the creche proposed that could not have been anticipated in the development.

7.13.2. I am of the opinion, having considered the alterations to the creche and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the floor plans and elevations as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to the creche the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.14. Infrastructure:

- The location and extent of attenuation tanks around the Public Square have been revised and the attenuation tanks south-east of the pond have been increased in size and extent. This change was necessary to facilitate appropriate phasing;
 - *The Engineering Report accompanying the 146B request states that the scheme has been developed to Tender Design Stage which has resulted in design changes to the proposal. The report compares the two designs. Changes were made following consideration of the phasing strategy. The changes ensure that each phase of the development can be independently served. While the tank volumes have changed the water storage capacity has increased marginally and it is still intended to construct two tanks as per the original design. Drawing 182-134-013 refers. I note that the general location of the attenuation tanks are to remain as originally proposed but have been resized. I note that a report also accompanies the request to assess potential impacts arising on the hydrogeological regime having regard to the fact that the tanks are deeper than originally proposed. It confirms that the revised design will not result in a change to the impact previously assessed. I am satisfied that there will be no change to the hydrogeological, hydrological or visual impact not previously assessed – not material*
- The route of drainage through Shanganagh Park has been slightly moved from the eastern side of the soccer pitches to the western side of ditch, thereby ensuring that no damage arises to the existing pitches;

- *This will have a positive impact on residential amenities and no change in impact on visual amenities not previously assessed – not material*
- The exact foul sewer connection point with Woodbrook has been modified, thereby marginally shortening the extent of pipework required to facilitate connection;
 - *Minor amendment – would not impact on visual amenities or hydrological regime – not material*
- Replacement of 2no. existing headwalls in Shanganagh Park which upon further inspection were in need of maintenance and repair; and
 - *These works could be construed as being part of the maintenance of the existing drainage channels and would not materially alter the impacts already assessed – not material*
- Minor amendments to lighting plan to provide for enhanced security and achieve levels of illumination to improve CCTV camera imaging.
 - *The external lighting plan refers. The design strategy is unchanged. The changes proposed are minor and the report provides an overview of the taking-in-charge area and private area changes. I am satisfied that the proposed changes will enhance security and will not result in a change to visual or residential amenities not previously assessed – not material*

7.15. **Energy Centre:** The Energy Centre on the original planning drawings, as consented was 166sqm. This floor area was inadvertently omitted from the accommodation schedule submitted in support of the original application. It is proposed to increase the permitted Energy Centre to 221sqm, which represents an increase of 55sqm. The requirement for increased floorspace only arose following further, detailed consultation with Gas Networks Ireland.

- *The Energy Centre is located in Block A and I have assessed the resultant changes to the external appearance of the Block above caused by the changes associated with the increase in floor area of the Energy Centre. I am satisfied that the increase will not result in an imperceptible change in visual and residential amenities – not material*

7.16. **Landscaping:** Many of the amendments arise following detailing landscape design and finalisation of the SUDS strategy thereby substantially enhancing the quality of the overall environment.

- An increase in the provision of communal open space has been provided, increasing from 2,239sqm to 3,803sqm;
 - *This will improve residential amenities – not material*
- It is proposed that additional trees are to be removed following arborist advice and recommendations. This is based on arboricultural best practice, health and safety interests, and the long term viability of other trees which are to be retained. The trees are clearly identified within the Landscape Report. A supplementary Arborist Report is attached to this application in respect of a large prominent mature Cedar tree and a mature Scots Pine. Replacement tree planting is proposed;
 - *Arborist Report noted. While it is regrettable this is based on Arborist advice. I note that replacement planting is proposed – not material*
- Revisions to the Public Square to account for change of use of ancillary support facilities at ground floor level and amended architectural detail and glazing;
 - *Internal to the development and amendments to glazing etc. have been assessed above – not material*
- Revised landscaping detail to the courtyards of Block B/C and Block E following architectural amendments;
 - *Assessed above – not material*
- Revised and enhanced landscaping at ground floor of all blocks;
 - *No adverse change to visual impact – not material*
- Minor amendments to the proposed playground areas reflective of changes to the Public Square;
 - *No adverse change to visual impact – not material*

- Revised landscaping to Block A, D, F and H roof gardens to accommodate roof plant enclosures;
 - *Assessed above – not material*
- Gates, railings, fences added to site boundaries; and
 - *Assessed above – not material*
- Revised parking layout in various locations with provision made for an additional 3 no. set down car spaces and the relocation of motorcycle spaces west of Block F.
 - *As noted above there is an error in the request in relation to parking. 3 no. additional set down spaces are included but importantly there is no change to the overall number of carparking spaces proposed. The relocation of spaces is noted as being necessary in order to accommodate dry riser inlet locations. I am satisfied that there will be no change to the Traffic previously assessed – not material*

7.16.1. I note that the redline boundary defining the site is also proposed to be amended slightly. This serves to reduce the area and as such will have no additional impact not previously assessed. I am satisfied that this proposed change is not material.

7.16.2. Having regard to the parent permission description of development, I am satisfied that there are no changes to the infrastructure, energy centre, and landscaping proposed that could not have been anticipated in the development.

7.16.3. I am of the opinion, having considered the alterations to the infrastructure, energy centre, and landscaping and having considered the proposal as granted under ABP Ref. 306583, that the Board would not have determined ABP Ref. 306583 differently had the amendments as now proposed in the alterations formed part of ABP Ref. 306583 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to the infrastructure, energy centre, and landscaping the subject of this request, do not constitute the making of a material alteration of the development as granted under ABP Ref. 306583.

7.17. Overall Planning Conclusion

- 7.17.1. A number of the proposed amendments are carried through all the blocks, such as slight parapet level changes, material palette changes, entrance door revisions, positioning of planters and landscaping amendments.
- 7.17.2. I am of the opinion that a substantial number of these proposed amendments would fall into the category of '*details to be agreed with the Planning Authority*' in a situation where a private developer was the applicant and would be subject to conditions requiring such agreements. In this case the Local Authority is the applicant and as such, it is clear has taken a precautionary approach and has sought to ensure all changes are clearly identified and transparent on the file.
- 7.17.3. I have assessed every change as detailed in the Planning Statement and compared the parent permission drawings and reports on the file. I am satisfied that while there are a substantial number of amendments, the proposed amendments are all minor in nature. The majority affect only the internal layout of the block or within the development envelope and will not change the visual or residential impact not already assessed. I am satisfied that the Board would not have considered the relevant issues differently to any material extent with the layout as now proposed, and it is considered that no other planning issues would arise, had the layout as now proposed formed part of the plans at application stage.
- 7.17.4. Furthermore, if the original development comprised of one of the blocks only, the changes proposed to one block in my opinion would be considered minor. However having regard to the scale of the development, the number of amendments is high and because of that, the Board may wish to advertise in accordance with Section 146B(2)(b) which provides that "*before making a decision under this subsection, the Board may invite submissions in relation to the matter to be made to it by such person or class of person as the Board considers appropriate (which class may comprise the public if, in the particular case, the Board determines that it shall do so); the Board shall have regard to any submissions made to it on foot of that invitation*". However, I am of the opinion that while numerous, each amendment could have been anticipated within the permitted design and I am of the opinion that the inviting of submissions from the public in this instance is not necessary.

8.0 Environmental Impact Assessment

- 8.1.1. As I outline above, I consider that the proposed alterations do not constitute the making of a material alteration of the development concerned and in this regard the provisions of Section 146B(3)(a) apply. However, if the Board are of the opinion that the proposed alterations would constitute a material alteration the provisions of Section 146B(b) apply which require that the requester submit to the Board the information specified in Schedule 7A of the Planning and Development Regulations 2001 as amended unless the information has already been provided.
- 8.1.2. The Environmental Impact Assessment Screening Report submitted with the request outlines the likely significant effects on the environment and outlines Schedule 7 of the Regulations and details the characteristics of the proposed alterations, the location of same and the characteristic of potential impacts of the alterations. It is concluded that the proposed alterations would not have any significant effects on the environment. I would concur with this opinion and am satisfied that there would be no additional or increase in the impacts identified. I consider the requester's further review of the potential impact arising from the alterations proposed to be reasonable and robust.

9.0 Appropriate Assessment

- 9.1. Under the parent permission ABP Ref. 306583-20 the Board completed an Appropriate Assessment Screening exercise in relation to the Natura 2000 sites within a 15 km radius of the application site and it was concluded that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on those sites and a Stage 2 Appropriate Assessment was not therefore required.
- 9.2. A revised screening report accompanied the proposed amendments which concluded that given the nature of the proposed alterations they will not, either individually or cumulatively in combination with the other identified plan or projects, adversely affect the integrity of any European Site.
- 9.3. Having considered the Board's determination on Appropriate Assessment on ABP-306583-20 and the submitted revised screening report, in addition to the minor

nature, scale and extent of the alterations relative to the development, and the information on file (which I consider adequate to carry out AA Screening), I consider it reasonable to conclude that the alterations proposed, individually or in combination with other plans or projects, would not be likely to have a significant effect on any European sites, in view of the sites' conservation objectives.

10.0 Recommendation

10.1. I recommend that the Board decides that the making of the alterations subject of this request do not constitute the making of a material alteration to the terms of the development as granted permission under ABP Ref. 306583-20 and that the permitted development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on 22nd of July 2021.

(Draft Order for the Board's consideration provided below)

DRAFT ORDER

REQUEST received by An Bord Pleanála on the 22nd of July 2021 from Dun Laoghaire Rathdown County Council under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of the Shanganagh Castle Residential Development which is the subject of a permission under An Bord Pleanála reference number ABP-306583-20.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 8th of July 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:

- Overall increase in floor area of 998.2sqm (1.7% increase in overall floor area) following detailed design and the setting out of buildings and compliance with Fire Safety Certificate;
- A change in finished floor levels across the scheme ranging from -525mm to +680mm;

- An adjustment to parapet levels on Blocks A – H ranging from -35mm to +170mm;
- Alterations to parapet height of the terraced housing of between –50mm (east and west ends of terrace) to +250mm (2 units only in the middle of the terrace);
- An adjustment to the position of the block layouts and the separation distance between buildings on site of between -380mm and +220mm;
- Reduction in height of the two storey houses, repositioning of the houses relative to the northern site boundary and revised bin and bike storage;
- Provision of PV panels at roof level with additional plant and access stairs;
- Modifications to the extent and location of window glazing on all blocks including the café with amendments to material palette and detailing;
- Revised floor plans and revisions to apartment layouts in compliance with the Design Standards for New Apartments Guidelines 2018;
- Amendment to Juliet balconies in Block B2 which have been replaced with windows, revised recessed balconies to Block G on the south west corner and the extension of balconies and the provision of 2 no. balconies in Block H;
- Modifications and improvements to landscaping in the courtyards and public square, removal of additional trees and revised tree planting in lieu;
- Change of use and relocation of support facilities located around the public square;
- Modifications to the proposed drainage layout including revisions to the number, location and extent of attenuation tanks, modified drainage route through Shanganagh Park, and replacement of 2 no. existing headwalls;
- Revision to red line boundary defining the site to provide for two small changes, including one at Gate Lodge and the other at Woodbrook. These serve to reduce the overall size of the site, which is now approximately 9.61 hectares in area; and

- Modification to and relocation of parking to include provision of 3 no. additional set down car spaces and the relocation of motorcycle spaces west of Block F.

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 8th day of July, 2021

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 Infrastructure Development permitted under An Bord Pleanála Reference Number ABP-306583-20 for this site,
- (ii) the screening for appropriate assessment and environmental impact 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.

Ciara Kellett
Inspectorate

24th September 2021