

AN BORD PLEANÁLA

SUBSTITUTE CONSENT APPLICATION FORM ADDENDUM

Location: Mount Usher View, Ashford, Co. Wicklow

Development: The development for which substitute consent is sought is for the part built development and remainder originally permitted under Reg. Ref. 081704 consisting of mixed use development (24 no. residential units, office and retail space) over a site area of 1.19 ha.

Applicant: Vartry Developments Limited

Date: 08.12.2021

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7. Brief description of nature and extent of development

Vartry Developments Ltd. intend to apply for substitute consent for development at this site Mount Usher View, Ashford, Co. Wicklow.

This application is made on foot of a grant of leave to make substitute consent under ref. ABP-309566-21. The application site occurs over a site of approximately 1.19 ha. site for which planning permission was granted and taken up under Reg. Ref. 081704 (extended under Reg. Ref. 14118) for a mixed use residential, retail and office development consisting of 24 no. residential units (20 no. 3 bed terraced houses above either retail or office space and 4 no. 4 bed semi-detached houses) in 5 no. blocks.

Development for which substitute consent is sought consists of the development permitted under Reg. Ref. 081704. Development under Reg. Ref. 081704 was not completed and currently consists of:

- Blocks A & B consisting of 9 no. 2.5 storey terraced houses with retail (total 528 sqm below) are to pad or first floor plate level only;
- Blocks C and D consisting of 11 no. 3 storey terraced houses with ground floor offices are complete;
- and Block E consisting of 2 no. 2.5 storey semi-detached houses is complete to roof level but not weather tight.

Vehicular access to the site is from two points on the northern and southern corners of the site from Mount Alto Road (L1096).

Site services have been installed, or lands cleared for that purpose over an area of approx. 0.93 ha. to facilitate ancillary site development works that will be completed in accordance with Reg. Ref. 081704.

This application is accompanied by a remedial Natura Impact Statement (rNIS).

13. Development Details

The substitute consent application form is Form no. 7 of Prescribed Notices form the Planning and Development Regulations.

Form no. 7 was included by S.I. No. 296/2018 – *European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018*.

It is understood that the application is to be made in accordance with the Regulation requirements 2001-2021.

S.I. No. 588/2021 - Planning and Development (Amendment) (No.3) Regulations 2021, amends Schedule 3 of the Regulations including the subsite consent application form (no. 7) at 7(i) "(i) in Section 13 of Form No. 7, Application to An Bord Pleanála for substitute consent, by substituting "Does the application relate to a development which comprises or is for the purposes of an activity requiring a licence from the Environmental Protection Agency other than a waste licence?" for "Does the application relate to a development which comprises or is for the purposes of an activity requiring an integrated pollution prevention and control licence?"

This substitution has been made in the submitted application form. In any event, for this proposal the answer is 'no'.

14. Site History - Are you aware of any valid planning applications previously made in respect of this land/structure?

Reg. Ref. (Applicant)	Date R'ecd	Date Decision	Decision	Development
928326 (Eugene Stephens)	19.06.1992	07.10.1992	GRANT subject to 9 no. conditions	Extension to existing building and conversion of same to 3 no. mews
014560 (Patrick Stephens)	03.05.2001	FI Request 26.06.2001	No Response to Request appears to be on file – assume effectively withdrawn but recorded here for completeness	housing development (4 houses), demolish 3 existing houses & ancillary works
053879 (Chieftain Construction Ltd)	04.10.2005	28.11.2005	REFUSE for 5 no. reasons	The demolition of existing structures and construction of a residential and commercial development at Ashford Town, County Wicklow. The development will consist of 47 no. apartments, 1691sqm of retail space and 570sqm office space, made up as follows; Block A: 4 no. 3 bed apartments over 589sqm retail space, Block B: 2 no three bed apartments over 242sqm retail space, Block C: 4 no three bed apartments over 570sqm office space on first floor over 570sqm retail space on ground floor. Block D: 2 no one bed apartments over 92sqm retail space, Block E: 4 no one bed and 1 no 2 bed apartments on first and second floor over 205sqm retail space on ground floor, Blocks F, G, H, I and J: 6 no three bed apartments with patios in each block, over three stepped levels to follow site contours, all on approximately 2.3 acres of land. The development shall include roads, parking, services, landscaping, boundary walls, bin stores, traffic calming measures and a slight realignment of Main Street.
0734 (Chieftain Construction Ltd)	10.01.2007	01.03.2007 FI Request (FI rec'd 30.08.2007) 26.09.2007 Refuse	REFUSE for 4 no. reasons	58 no apartments and 1306.5 sqm of retail space made up as follows: block A: 8 no two bed apartments, block B: 8 no two bed apartments, block C: 8 no two bed apartments, block d: 8 no two bed apartments in addition to 22 no two bed apartments and 4 no one bed apartments on first and second floor over 1306.5 sqm ground floor retail space, all on approximately 2.43 acres of land. The development shall include roads, parking, infrastructure services, landscaping, boundary walls, bin stores, underground attenuation tanks and associated site works
081704 Chieftain Construction Ltd.	09.10.2008	FI Request 01.12.2008, Response 12.03.2009 & 18.05.2009 grant	GRANT subject to 36 no. conditions	retail space (528 sqm) and 28 no. houses (20 no. 3 bed terraced and 8 no. 4 bed semi-detached). 4 no. semi-detached units omitted by condition:- 24 no. units permitted.
14118 Chieftain Construction (In Receivership)	07.03.2014	25.04.2014	EXT. GRANTED 'till 15.08.2019	Ext. of duration of Reg. Ref. 081704
16105 (Copia Capital Partners Ltd)	01.02.2016	31.03.2017	REFUSE	Retention of 11 no 3 storey residential terraced units as constructed (Blocks C & D) and permission to complete same. Permission for 9 no 2 storey terraced residential units over 9 no retail units in 3 storey Blocks A and B. Permission for 6 no semi detached 3 storey 4 bedroom in Blocks E (4 No units permitted under 08/1704). Retention and completion of all ancillary site works and services including landscaping and boundary treatment
18603 (Myles Kirby (Receiver of a specific asset of Copia Capital Partners Ltd)) & appeal ref. ABP-303081-18	05.06.2018	27.07.2020	REFUSE RETENTION ON APPEAL	completion of development commenced under Planning Reg Ref 08/1704. Retention is sought for 9 no 2 storey terraced residential units over 9 no retail units in 3 storey blocks A & B, as constructed, and permission to complete same, retention for 11 no 3 storey residential terraced units as constructed (blocks C and D) and permission to complete same, retention of 4 no semi detached 3 storey 4 bedroom residential units in Block E as constructed and permission to complete same, together with retention and permission to complete all ancillary site works and services including landscaping and boundary treatments, all in line with the submitted documents and drawings as part of this retention and completion proposal

17. Application Fee

Class of Development	Fee	Application fee
1 The provision of a house	€65	24 no. units x €65 = € 1,560.00
4 The provision of buildings other than buildings coming within class 1, 2 or 3.	€80 for each building, or €3.60 for each square metre of gross floor space to be provided, whichever is the greater.	Retail commercial space (506.4 sqm X €3.60 per sqm) = € 1,823.04
8 The provision on, in over or under land of plant or machinery, or of tanks or other structures (other than buildings) for storage purposes.	€200, or €50 for each 0.1 hectare of site area, whichever is the greater.	1 no. attenuation tank (< .12 ha) = € 200.00
13 Development not coming within any of the foregoing classes.	€80, or €10 for each 0.1 hectare of site area, whichever is the greater.	Landscaping, public realm and services works over entire site area for park over 1.19 ha. (1.19/0.1 X 10) = €119.00
Total planning application fee calculated		€ 3,702.04