

An
Bord
Pleanála

Board Order
ABP-311555-21

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Associated Reference Number: ABP-303803-19

REQUEST received by An Bord Pleanála on the 4th day of October 2021 from Stranwil Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin under section 146B of the Planning and Development Act 2000, as amended, to alter the terms of a permitted Strategic Housing Development the subject of a permission under An Bord Pleanála Reference Number ABP-303803-19.

WHEREAS the Board made a decision to grant permission, subject to 24 conditions, for the above-mentioned development by Order dated the 25th day of July 2019,

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

AND WHEREAS the proposed alteration is described as follows:

1. Alterations to the layout, size and positioning of the concierge and reception area, communal amenity areas, creche and two number commercial units provided at the ground floor and omission of the previously approved office and two number apartments to facilitate the introduction of a larger commercial unit capable of accommodating a small supermarket.

2. Removal of Core C to facilitate the introduction of a larger ground floor commercial unit and reconfiguration of the Block C's internal space across first to fifth floor levels and the introduction of a glazed link between Blocks B and C at first floor level.
3. Reconfiguration of the approved basement layout.
4. Amalgamation and consolidation of communal amenity space serving the development at ground floor level.
5. Relocation of the substation and switch room previously proposed in Block D to Block A and associated alterations to previously approved ground floor Apartments 2 and 3 in Block D and Apartments 1 and 2 in Block A.
6. Minor alterations to party walls in Blocks A, B and D to accommodate a number of one-bedroom apartments in lieu of previous approved studio apartments.
7. Minor alterations to previously approved facades, building line and internal partition walls to accommodate the aforementioned amendments and a slight increase in the number of apartments featuring within the development, from 196 number units to 204 number units.

A AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would not result in a material alteration to the terms of the development, the subject of the permission,

B AND WHEREAS the Board considered that the alterations would result in a material alteration to the terms of the development the subject of the permission,

AND WHEREAS having regard to the nature of the issues involved the Board decided to invoke section 146B(8)(a) of the Planning and Development Act 2000, as amended, to invite submission or observations in relation to the matter from the members if the public,


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,

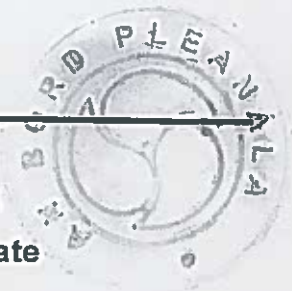
C NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by the Board on the 4th day of October 2021 and on 22nd Day of February 2022.

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REASONS AND CONSIDERATIONS

On the basis of the information presented, it cannot be concluded that the proposed alterations would not represent a risk of serious damage to the Luas track bed and infrastructure, with consequential implications for the operation of the Luas Red Line. As such, the proposed alterations fail to integrate land-use planning with the regional transport strategy; enhance strategic land networks; and protect the strategic capacity of the metropolitan area transport network; contrary to Policy SM1, SM1 Objective 3 and SM1 Objective 5 of the of the South Dublin County Development Plan 2022, as well as Regional Policy Objectives 8.1, 8.2 and 8.3 under the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031. The proposal is also contrary to guidance in Project Ireland 2040 National Planning Framework which identifies that improving strategic infrastructure, including expansion and improvement of Luas networks, is key to Dublin's continued performance, which is critical to Ireland's overall competitiveness.


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



Dated this 24th day of October 2022

