



An Roinn Pleanála & Forbairt Maoine,
Bloc 4, Urlár 3, Oifigí na Cathrach, An Ché Adhmaid,
Baile Átha Cliath 8

Planning & Property Development Department
Block 4, Floor 3, Civic Offices, Wood Quay,
Dublin 8.

November 5, 2024

Ruirside Developments Ltd
c/o Stephen Little & Associates
Chartered Town Planners and Development Consultants
26/27 Upper Pembroke Street,
Dublin 2,
D02 X361

Re: Section 247 (7) – Section 247(7) Request for LRD Application for amendments to permitted development ABP-306569-20 to change the permitted ‘BTR’ apartment unit mix (to omit studio units) and to make the appropriate internal and external design adaptations to meet the relevant standards for private open space (balconies), communal space and bike parking for conventional apartment units at No. 42A Parkgate Street, Dublin 8.

Determination under Section 247 (7) of the Planning & Development Act 2000-2022

Eleanor,

A *Pre-Application Consultation Request* dated 12/08/24 was received by Dublin City Council’s Planning Department on behalf of Ruirside Developments Limited.

The request for consultation was regarding proposed amendments to permitted Strategic Housing Development Reg. Ref. ABP-306569-20 which was granted by An Bord Pleanála on the 28/05/2020, for 321no. Build-to-Rent (‘BTR’) residential apartments, ancillary residents ‘amenity facilities, commercial office (c. 3,698sqm), retail (c. 214sqm) and café/restaurant (c. 236sqm), accommodated in 5no. blocks ranging from 8 to 13 storeys (c. 31,146sqm).

A subsequent Section 247 meeting was held between the applicant – Ruirside Developments Ltd, and Dublin City Council on the 20/08/24 (as per Planning and Development Act 2000-2022, as amended).

The following is a determination under Section 247 (7) of the aforementioned Act.

A. Minutes of the Meeting – please find a copy of the minutes enclosed.

B. Determination under Section 247 (7) of the Planning & Development Act 2000 as amended

Introduction

The Planning Authority received a request on behalf of Ruirside Developments Ltd, in relation to proposed amendments to a permitted development Reg. Ref. ABP-306569-20 granted under the Planning and Development (Housing) and Residential Tenancies Act 2016 as amended.

Permitted and Proposed Development

The permitted development was for Blocks B1 & C (SHD ABP-306569-20):

- 8-13 storeys.
- 321no. 'BTR' residential apartments (unit mix altered under s.146B ABP-311499-21).
- Ancillary residents' amenity facilities.
- Retail (c. 214sqm).
- Café/Restaurant (c. 236sqm).
- Ancillary basement.
- All associated and ancillary conservation, landscaping and site development works. (Car parking spaces at basement and ground floor undercroft levels reconfigured under s.146B ABP-311 07-21).
- 5 year permission - due to wither 4 September 2025.

The current proposal relates to:

The proposed development largely comprises changing the permitted 'BTR' apartment unit mix via design alterations to bring the apartments up to date with current relevant standards i.e. private open space, floor areas, communal space and bike parking this will require internal and external design alterations to Blocks B1 and C of the consented Strategic Housing Development ABP-306569-20 (as amended).

The key design alterations are as follows:

- Decrease of 5no. apartments, reducing from 321no.permitted to 316no. proposed.
- Omission of studio units.
- Reduction in internal residential amenity floor area (no longer required due to compliance with current apartment standards).
- Localised circulation core pop-ups to service expanded roof top amenity.
- Change to the building footprint, resulting in a reduced separation distance between Blocks B1 and C, across the communal open space courtyard (reduces from 21m to 18.7m).
- Bicycle parking spaces.

Key elements to be retained as per ABP-306569-20:

- The mix of non-residential uses at ground level (i.e. café/restaurant and retail units).
- Density and building height.
- The conservation and adaptive reuse of protected structures and other heritage buildings and structures, and the public realm works, including the public plaza and riverside walk
- The LRD application red line boundary.

The submitted covering letter and architectural pack are silent on the matter of the approved basement. However, the draft site notice references the provision of a basement for bicycle parking and ancillary plants & storage.

Timescales

Planning permission ABP-306569-20 (as amended) is subject to a 5 year permission which is due to wither on 4 September 2025 (having regard to the additional 45 days statutory holidays and 56 days for Covid-19 emergency measures).

The applicant is seeking a fresh permission, with a life of 8 years, for the entirety of the Block B & C scheme. It is noted that split decision LRD6042/23-S3A relating to amendments to Block B2, granted permission for an 8-year period tied to Block A (tower building).

Determination

The Planning Authority has compared the proposed development to the permitted development, and considered whether the —

- (a) the proposed development is substantially the same as the permitted development, and
- (b) the nature, scale and effect of any alterations to the permitted development are not such that require the consultation process to be repeated.

The Planning Authority has determined that **no further consultation is required** under Section 247 in relation to the proposed development.

This determination is based on plans and particulars received by the Planning Authority on the 12/08/2024 and 02/10/2024.

In accordance with Section 247(8) of the Act, a determination under subsection 247 (7) shall not prejudice the performance by the Planning Authority of its functions under this Act or any regulations under the Planning and Development Act 2000-2022 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Yours sincerely,



Nicola Conlon
Senior Planner