

14/02/24

John Murphy
BMA Planning,
Taney Hall Eglinton Terrace,
Dundrum
Dublin 14

Re: Section 247 (7) – Section 247(7) Request for LRD Application for amendments to permitted Strategic Housing Development (SHD) at Former O’Devaney Gardens Site and lands previously part of St. Bricin’s Military Hospital, Dublin 7 (Ref. ABP-310327-21).

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

Dear John,

A Determination under Section 247 (7) of the Planning & Development Act 2000 as amended was received by Dublin City Council’s Planning Department on behalf of Bartra ODG Limited.

The request for consultation was regarding proposed amendments to permitted Strategic Housing Development Reg. Ref. ABP-310327-21 which was granted by An Bord Pleanála on the 13/09/2021, for the construction of 1,047 residential units in 10 no. blocks, at Former O’Devaney Gardens Site and lands previously part of St. Bricin’s Military Hospital, Dublin 7.

Introduction

The Planning Authority received a request on behalf of Bartra ODG Limited, in relation to proposed amendments to a permitted development Reg. Ref. ABP-310327-21 granted under the Planning and Development (Housing) and Residential Tenancies Act 2016 as amended.

Permitted and Proposed Development

The permitted development was for:

The development of 1,047no. Residential units and all associated ancillary accommodation, site and development works. The total gross floor space (gfa) of the overall development is 102,940sqm, of which 100,646sqm is residential and 2294sqm are non-residential uses.

The current proposal relates to:

The proposed development involves modifications to the permitted Blocks 8C and 8D to provide for the addition of a three-storey infill element to create a single Block 8C/D. The insertion of the 3-storey element also closes off the access to the rear of No. 43 Montpelier Gardens. In the period since the original application, Dublin City Council have acquired No. 43 Montpelier Gardens and the rear access to that property is no longer required.

The development to be applied for will be described as follows in the public notices: -

The development consists of modifications to the permitted Blocks 8C and 8D and the rear access to No. 43 Montpelier Gardens within the SHD approved under Ref. ABP- 310327-21. The development involves the addition of a 3-storey infill element, incorporating 1no. 3 bed duplex unit and 1no. 2 bed duplex unit with associated private amenity areas between Blocks 8C and 8D to create a single Block 8C/D, closing off of the access to the rear of No. 43 Montpelier Gardens and provision of a boundary wall to the rear of the proposed Block 8C/D.

The modified Block 8C/D will accommodate 16no. duplex units comprising 7no. 2 bed units and 9no. 3 bed units in lieu of the previously permitted 14no. duplex units comprising 6no. 2 bed units and 8no. 3 bed units. Permission is also sought for all associated site and development works.

The following drawings are provided by O'Mahony Pike Architecture: -

- Site Location Plan
- Site Layout Plan – Permitted & Proposed.
- Floor Plans, Sections and Elevations – Permitted & Proposed.
- Schedule of Accommodation – Permitted & Proposed

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 13th February 2025.

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,
Kiaran Sweeney
Senior Planner
Central Area
Dublin City Council

