

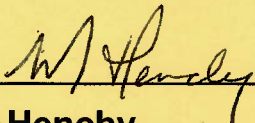
An
Coimisiún
Pleanála

Commission Direction
CD-000577
PL-500649-DS-26

The submissions on this file and the Inspector's report were considered at a meeting held on 13 May 2026.

The Commission decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:



Mary Henchy

Date:

20th day of May 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the policies and objectives of the Dublin City Development Plan 2022-2028, and the scale, form and design of the proposed works to the protected structure, it is considered that the revised design submitted with the appeal accords with; the Dublin City Development Height Strategy (Appendix 3),

Policy BHA2 with respect to works to a protected structure and, the wider context within which it is located in accordance with BHA9.

Furthermore, the proposed uses, retail, café and tourist hostel are all permitted uses within the Z4 zoning. The ground floor uses will serve the needs of the surrounding community while the proposed tourist hostel primarily at basement and upper floor level will add to the mix of uses, will not result in an overconcentration of this type of use, is a permitted use within this land use zoning and will deliver on the objective, CEE28, in the Plan that supports the delivery of tourist accommodation. With the design changes proposed at appeal stage the Commission considered the scale of the accommodation being proposed is acceptable, and subject to conditions regarding the operation of the tourist hostel considered the proposed use would not detract from the amenity of surrounding properties. The Commission considered the information submitted with the appeal demonstrates that the area is served by other sport and recreational facilities, so the loss of the gym would not result in the surrounding community being devoid of such facilities.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspectors recommendation the Commission did not concur with the Inspector that the loss of the existing gym and the nature of the proposed tourist hostel use would negatively impact on the vibrancy, vitality and character of the area and that it would be contrary to the zoning objective. The Commission having regard to the fact that the uses proposed including the tourist hostel are all uses permitted within areas zoned Z4, that the retail and café use at ground floor would serve the needs of the surrounding community, and that

the tourist hostel would accord with objective CEE28 providing a type of tourist accommodation that enhances the choice of accommodation available and would contribute to a mix of uses in this area. The Commission noted that there are alternative sports and recreational facilities in the area to serve the community.

Subject to conditions the Commission determined the proposed use would not detract from the amenity of adjoining property. The Commission decided the proposed development accorded with the Z4 zoning and objective CEE28 in the Dublin City Development Plan 2022-2028 and would not be detrimental to the vibrancy, vitality and character of the area.

The Commission concurred with the Inspector assessment and conclusion that the revised design submitted at appeal stage is in accordance with Policy BHA2 and BHA9 of the Development Plan.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars submitted with the appeal on the 19th day of January 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. Prior to the commencement of development on the Protected Structure samples of materials and workmanship shall be submitted for the written agreement of the planning authority, and all works shall be carried out in accordance with this written agreement.

Reason: In the interest of the protection of architectural heritage [in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

3. Prior to the commencement of development, the applicant shall submit an operational management plan for the written agreement of the Planning Authority. The operational management plan shall include details of:

- a. The hours of operation of the café
- b. Detailing the availability of staff on site 24 hours a day, 7 days a week to manage the Tourist hostel.
- c. Measures to ensure that alcohol is not sold either in the café or tourist hostel without a further planning application.
- d. Servicing and access strategy including the frequency, number and type of all service and delivery vehicles (the details submitted should include Autotrack drawings demonstrating adequate access and egress for a range of service and delivery vehicles together with emergency vehicles and refuse vehicles)

e. Operational waste management plan

Reason In the interest of orderly development

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management

5. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

6. All external shopfronts and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage.

Reason: In the interest of visual amenity

7. The noise levels from the site, during the operational phase, measured as an LAeq (5min at night, 15 min in day) when all plant is operating, shall not exceed the LA90 by 5dB(A) or more. Noise levels should not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place.

There shall be no speakers located externally or in such a way that music played on the premises is audible outside the premises.

Reason: To protect the amenity of adjoining properties

8. The outlet of the chimney or flue pipe serving the heat producing appliance must be so sited to ensure the emissions will cause no nuisance and must be not less than 1 m above the top of any opening skylight, opening window or wall vent within 2.3 m. A storm cowl shall be installed at the outlet to ensure emissions are dispersed adequately. A suitable filtration system must be installed to neutralise odours (if applicable) prior to their discharge.

No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the site boundary or any other legitimate uses of the environment beyond the site boundary.

A suitably qualified and experienced person should undertake the design and installation of the ventilation system

Reason: To protect the amenity of adjoining properties

9. Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority:

- a. details of staff cycle parking, including the design, layout and accessibility of the spaces
- b. details of cycle facilities for all staff including showers
- c. Details of short stay cycle parking provision
- d. A workplace travel plan.

Reason: In the interest of sustainable travel

10. A. The developer shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) the floor slab removal and associated groundworks. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

B. The nature, extent, and location of archaeological material on the site shall be determined by way of archaeological testing. Trial trenches shall be excavated to the top of the archaeological deposits only.

C. The developer's archaeologist shall forward their method statement for testing in advance to the Planning Authority for written agreement.

D. A report containing the results of the archaeological testing shall be forwarded on completion to the Planning Authority. Where archaeological material is shown to be present through testing, a detailed Impact Statement shall be prepared.

A comprehensive mitigation strategy shall be prepared by the consultant

archaeologist and included in the report. Further, an environmental sampling and analysis strategy shall be developed by an environmental specialist in consultation with the licensed archaeologist with reference to best practice environmental standards and included in the report. E. The Planning Authority (in consultation with the City Archaeologist and the National Monuments Service), shall determine the further archaeological resolution of the site to be agreed in writing. The developer shall comply in full with any further archaeological requirement, including archaeological monitoring, excavation and/or the preservation in situ of archaeological remains, which may negate the facilitation of all, or part of any basement.

F. Should archaeological excavation occur the following shall be submitted to the Planning Authority:

- i. A bi weekly report on the archaeological excavation during the excavation and post excavation period.
- ii. A preliminary report on the archaeological excavation not later than four weeks after the completion of the excavation.
- iii. A final report on the archaeological excavations not later than twelve months after the completion of the excavation.

G. Following submission of the final report to the Planning Authority, where archaeological material is shown to be present the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council), and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.

Reason In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

12. The developer shall pay to the planning authority a financial contribution in respect of Luas Cross City in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section

49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.