



Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18A/0436

Appeal by Ryan Wall Covering Limited and Ballincolly Property Limited care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 14th day of February, 2019 by South Dublin County Council to grant subject to conditions a permission to Guestford Limited care of McGill Planning of 45 Herbert Lane, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Modification to existing permissions planning register reference numbers SD17A/0470 (An Bord Pleanála appeal reference number PL 06S.246548), SD16A/0047, SD15A/0386 and SD15A/0318 (An Bord Pleanála appeal reference number PL 06S.245321) to consist of: (a) partial demolition of the existing north-east wing of the original hotel building and the construction of a new hotel wing of a five- storey over basement with adjoining stairs and lift core of six storeys, (b) remodelling of the original main hotel building including removal of mansard roof and the provision of an additional two storeys resulting in a six-storey building, (c) provision of a new glazed atrium (circa 490 square metres) with bar at ground floor between the

original hotel and recent hotel extension, (d) redesign of the ground floor to provide an enlarged restaurant area to the north-east (by circa 242 square metres) and the conversion of 13 ground floor bedrooms into six new conference/meeting rooms and event space in the south-east wing of the hotel, (e) provision of a new covered outdoor smoking area of circa 31 square metres, (f) demolition of the existing shed and provision of a new Electricity Supply Board substation and switch room (circa 54 square metres) in their place, (g) a new service link at first floor level resulting in the removal of one bedroom at first floor level in the newly constructed wing, (h) extension to the café link at ground floor by circa 150 square metres, (i) alterations to stairs, provision of plant and stair/lift cores at roof level, (j) provision of five pieces of art signage on the roof, signage over the restaurant and bar at ground floor level on the north-west elevation and signage on the new stair tower at 6th floor level on the north-west and south-east elevations and (k) all associated site development, staff facilities and back of house space, landscaping, open spaces, boundary treatment works, car parking and infrastructural services provision. The proposal will result in an additional circa 128 new hotel bedrooms (including 12 two room aparthotel/apartment rooms providing a total of circa 435 hotel bedrooms. The above revisions result in a net increase in gross floor area of hotel accommodation by circa 7,106 square metres. All on a site of circa 1.98 hectares at the Red Cow Complex, Naas Road, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, to the zoning of the site in the South Dublin County Development Plan 2016-2022 and the proximity of public transport facilities, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area, would be acceptable in terms of traffic safety and convenience and would be in accordance with the provisions of the South Dublin County Development Plan 2016-2022. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. The relevant conditions of the previous permissions granted under planning register reference numbers SD17A/0470 (An Bord Pleanála appeal reference number PL 06S.246545), SD16A/0047, SD15A/0386 and SD15A/0138 (An Bord Pleanála appeal reference number PL 06S.245321) shall apply, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of the proper planning and sustainable development of the area.

3. (a) The current gated entrance to the hotel surface car park, along the northern boundary of the Red Cow Business Park, shall be used for emergency access/egress purposes only.
- (b) The entrance/exit from the hotel premises to the Red Cow Business Park at the western boundary of the Red Cow Business Park shall be used for delivery and emergency purposes only.
- (c) The pedestrian access from the hotel premises to the Red Cow Business Park at the western boundary of the Red Cow Business Park shall be retained open and shall not be closed off.

Reason: In the interests of pedestrian safety and traffic convenience.

4. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following: -
 - (a) Details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development.
 - (b) Proposed locations of trees and other landscape planting in the development, including details of proposed species and settings.
 - (c) Details of proposed street furniture, including bollards, lighting fixtures and seating.

- (d) Details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

5. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

6. Water supply and 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.

7. No signage, other than that proposed in the plans and particulars submitted with this application, shall be erected on site, unless authorised by a further grant of planning permission. The proposed signage shall not be illuminated internally.

Reason: In the interest of visual amenity.

8. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

9. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to, and agreed in writing with, the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car-pooling by staff employed in the development and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented by the management company for the overall site. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) Location of the site and materials compound(s) including areas identified for the storage of construction refuse.
 - (b) Location of areas for construction site offices and staff facilities.
 - (c) Details of site security fencing and hoardings.
 - (d) Details of on-site car parking facilities for site workers during the course of construction.
 - (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site.
 - (f) Measures to obviate queuing of construction traffic on the adjoining road network.
 - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
 - (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works.

- (i) Provision of parking for existing properties during the construction period.
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.
- (l) Details of how it is proposed to manage excavated soil.
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (n) Details of hours of construction.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interests of amenities, public health and safety.

11. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

12. Prior to commencement of development, the developer shall liaise with the Irish Aviation Authority with regard to the potential requirement for an aviation warning beacon.

Reason: In the interest of public safety.

13. 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 the 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 Bord 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.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.