



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 0122/20

WHEREAS a question has arisen as to whether amendments to an existing hotel at basement and ground floor levels resulting in 10 number additional hotel bedrooms with ancillary uses and alterations to the eastern and western elevations at the Hilton Dublin Kilmainham Hotel, South Circular Road, Dublin is or is not development or is or is not exempted development:

AND WHEREAS Thornmont Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin requested a declaration on the said question from Dublin City Council and the Council issued a declaration on the 26th day of May, 2020 stating that the alterations to the internal layout to provide 10 number additional bedrooms is development and is not exempted development and that the external alterations to the west and east elevations is development and is exempted development:

AND WHEREAS Thornmont Limited referred the declaration for review to An Bord Pleanála on the 19th day of June, 2020:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000 (as amended),
- (b) articles 5, 6, 9, and 10 of the Planning and Development Regulations, 2001 (as amended), and
- (c) the submissions of the parties to the reference in relation to the uses described in the referral.

AND WHEREAS An Bord Pleanála has concluded that –

- (a) the amendments to the existing hotel at basement and ground floor levels resulting in 10 number additional bedrooms with ancillary uses do not constitute a material change of use,
- (b) the amendments would not constitute an intensification of use or have any material planning impacts over and above the existing operation of the established hotel use or any material consequences in terms of the proper planning and sustainable development of the area,
- (c) the use of the premises remains as established hotel use and is not development, as defined under section 3 of the Planning and Development Act, 2000 (as amended), and

- (d) the alterations to the external elevations come under the provision of section 4(1)(h) of the Planning and Development Act, 2001 (as amended) and, as such, are exempted development.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the amendments to an existing hotel at basement and ground floor levels resulting in 10 number additional bedrooms with ancillary uses is not development and the alterations to the eastern and western elevations is development and is exempted development at the Hilton Dublin Kilmainham Hotel, South Circular Road, Dublin.

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.

Terry Prendergast
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.