



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0166

Appeal by Trimstar Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 14th day of July, 2020 by Fingal County Council in relation to the application by Trimstar Limited for permission development comprising revisions to the 100 bedroom hotel permitted under planning register reference number F16A/0587. The proposed development provides for minor internal alterations/amendments to the permitted ground, first, second, third and fourth floor plans of the hotel including relocation of internal staircases, reduction in width of corridors, general internal layout modifications including the re-configuration of permitted bedrooms with a minor overall reduction in gross floor area of permitted hotel. There is no increase in the number of bedrooms permitted (i.e. 100 bedrooms). Permission is also sought to amend condition 3 of planning register reference number F16A/0587 to now permit meeting rooms within the hotel at ground floor and fourth floor levels with associated reconfiguration of these floors to accommodate ancillary uses including reception, fitness room, food preparation area, et cetera. Permission is sought for the associated revisions to the elevations of the permitted hotel to accommodate the proposed changes, amendments to the permitted basement level to provide for the reconfiguration of laundry room, plants rooms, et cetera, with associated increase in parking spaces to now provide for 35 number car

parking spaces at basement level in lieu of the permitted 33 number spaces, revisions to permitted site layout plan to now provide for 56 number spaces in lieu of the permitted 57 number spaces (91 number spaces now proposed in total), covered walkway and all associated site works necessary to facilitate the development at lands adjacent to the Carlton Dublin Airport Hotel, Turnapin Great, Old Airport Road/Swords Road, Cloghran, County Dublin in accordance with the plans and particulars lodged with the said development (which decision was to grant subject to conditions a permission for the reconfiguration of the internal layout, alterations to elevations, revisions to the basement and surface car parking layout and the provision of a covered walkway and to refuse permission for the omission of condition 3 of permission granted under planning register reference number F16A/0587).

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 'HT' zoning which applies to the site under the Fingal Development Plan 2017-2023, under which hotel uses are open for consideration, and to the extant permission in place at the site for a hotel development under planning register reference number F16A/0587, together with the nature and scale of the proposed development and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not endanger public safety and 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, as amended by the further plans and particular received by An Bord Pleanála on the 10th day of August, 2020, 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. All conditions attached to planning permission granted under planning register reference number F16A/0587 shall be complied with, unless otherwise authorised as part of this grant of permission.

Reason: To maintain effective control of the development of the site.

3. Meeting rooms within the hotel shall only be utilised between the hours of 10am and 5pm and shall not be used for conferences or banqueting events.

Reason: In order to ensure an appropriate density of development on the site and to ensure meeting rooms are daytime use only.

4. Prior to commencement of development, the developer shall submit, for the written agreement of the planning authority, proposals for
 - (a) a set-down area to serve the hotel and,
 - (b) a circulatory route for the airport shuttle service which does not require any reversing manoeuvre of the bus.

Reason: In the interests of pedestrian and road safety

5. Parking spaces shall be used in conjunction with the hotel use only and shall not be used for long term parking or 'park and fly' purposes.

Reason: In the interests of ensuring the use of sustainable transport modes to access the airport.

6. 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 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.

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

Dated this day of 2020