



An
Bord
Pleanála

Inspector's Report PL06D.249146

Development

Permission for extension consisting of 4-storeys to the rear of existing hotel, Development includes alterations to car park, landscaping, all ancillary services and associated site works.

Location

Talbot Hotel, Stillorgan, Dublin A94 V6K.

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D17A/0226

Applicant(s)

Talbot Hotel Stillorgan

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third-v-Grant

Appellant(s).

Ian Tighe & Leesa O'Driscoll & Others

Date of Site Inspection

24th November 2017

Inspector

Colin McBride

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 1.3597 hectares, is located to the north of Stillorgan and on the north eastern side of the N11. The site occupied by a the Talbot Hotel, which consists of a large three-storey structure, over a semi-basement level due to the level falling on site moving away from the public road. There is an extensive level of parking located to the north, north east, east and south east of the existing structure on site. There are two existing vehicular entrances on the road frontage along the N11, one to the north of the site and one to the south. There is also a side entrance to the south that is accessed from a road (Priory Drive/Treesdale) that serves residential development to the south and south east of the site and has a signalised junction with the N11 to the south of the site. There is a one system in operation with traffic travelling clockwise around the structure on site and with the entrance to the north used for entrance and the one to the south used for exit. The entrance off Priory Drive facilitates access and egress. Adjoining development is mainly residential, to the north and north east are the dwellings in Woodland Park with no.s 11, 12 and 13 (dormer style detached dwellings) backing onto the boundary of the site, no. 17A is a dormer style detached dwelling and is located close to the north eastern boundary of the site. To the south east is Treesdale with two-storey semi-detached dwellings. No.s 32 and 46 Treesdale have their gables adjoining the south eastern boundary. To the south and on the opposite side of the access road (Priory Drive/Treesdale) is an apartment development, Priory Hall. To the south of the site and along the N11 is a garage/vehicle repair business. To the north and along the N11 are detached dwellings. Existing boundary treatment consist of high walls along the northern, north eastern, south eastern and southern boundaries and a low wall along the road frontage/N11.

2.0 Proposed Development

2.1. Permission is sought for the construction of extension to the rear of an existing hotel (3,55sqm) consisting of four-storeys over a semi-basement and comprising 61 no.

bedrooms with ensuite bathrooms and 3 no. store rooms over the proposed ground floor, first floor, second floor and part setback third floor, with bin storage area and car parking to proposed semi-basement level. The development includes internal alterations at the rear of the existing building, alterations to the layout of the existing car park, hard and soft landscaping together with all ancillary services.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 14 conditions, of note are the following conditions...

Condition no. 2: Applicant to provide six car parking spaces for each disabled and parent child space (12 in total).

Condition no. 3: The applicant shall provide 20 no. short stay (visitor) and 20 no. covered long stay and employee cycle parking spaces.

3.1 Local Authority and external reports

3.1.1. TII (20/03/17): The TII considers the proposal to be at variance with national policy in relation to control of frontage along national routes. It is recommended that a Transport Impact Assessment is carried out to assess traffic impact.

3.1.2. Department of Arts, Heritage, Regional and Rural Affairs (18/04/17): Condition requiring archaeological monitoring.

3.1.3. Drainage Planning (21/04/17): Further information required including details regarding surface water attenuation.

3.1.4. Transportation Planning (03/05/17): No objection subject to conditions.

3.1.5. Planning Report (08/05/17): Further information required including a Traffic Impact Assessment (TIA) and detail regarding surface water drainage.

3.1.6. TII (18/07/17): The proposal is at variance with national policy in relation to control of frontage along national routes and would adversely affect the operation of a national route.

- 3.1.7. Drainage Planning (25/07/17) Clarification of further information required including details regard surface water attenuation.
- 3.1.8. Transportation Planning (01/08/17): No objection subject to conditions.
- 3.1.9. Planning Report (02/08/17). The proposal was considered acceptable in the context of zoning policy, design, scale and impact on both the visual amenities of the area and amenities of adjoining properties. The proposal was considered to be acceptable in regards to traffic impact. A grant of permission was recommended subject to the conditions outlined above.

4.0 Planning History

- 4.1 D99A/0757: Permission granted for reconfiguration of leisure centre and conference facilities previously approved under ref no. D96A/0636.
- 4.2 D98A/0408 & D98A/0409: Permission granted for signage and changes to window openings.
- 4.3 D96A/0636: Permission granted for extension and alterations including a leisure centre and conference facilities.
- 4.4 D96A/0350 (ABP): Permission granted for changes to D95A/0660, including omission and addition of bedrooms on different floors.
- 4.5 D95A/0660: Permission granted for extensions and alterations including new leisure centre, medical centre and bedroom blocks.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant development plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022. The majority of the site is zoned Objective NC with a stated objective 'to protect, provide for and-or improve mixed-use neighbourhood centre facilities'. A part of the site at the rear of the site (eastern car parking area) is site is zoned Objective A with a stated objective 'to protect and/or improve residential amenity'.

6.0 The Appeal

6.1 Grounds of appeal

6.1.1 A third party appeal has been lodged by Kieran O'Malley & Co Ltd on behalf of

Ian Tighe & Leesa O'Driscoll, 14 Woodlands Park, Stillorgan, Co. Dublin.

Justin & Jean Baily, 15 Woodlands Parks, Stillorgan, Co. Dublin.

Michael King & Geraldine Sheedy, 13 Woodlands Park, Stillorgan, Co. Dublin.

Michael Maguire 17A Woodlands Parks, Blackrock, Co. Dublin.

Niall O'Leary, 37 Redesdale Road, Mount Merrion, Co. Dublin.

. The grounds of appeal are as follows...

- It is noted that the proposal is incorrectly described as four-storeys and is a five storey development. The appellants question the assessment of the proposal in regards to number of proposed and existing bedrooms and the lack of information regarding the reconfiguration of existing bedrooms, which are being used to access the extension from the existing structure on site.
- The appellants note the Objective NC and A zonings of the site and noting that hotel use is only 'open for consideration'. It is stated that the proposal is a

material contravention of both zoning objectives and policy RET6 in regards to neighbourhood centres. It is noted that the proposal would have an adverse impact on adjoining residential amenity through overlooking and overshadowing as well as noting that activity in car parking area and music from the various functions cause disturbance. It is noted the existing use and proposed extension is contrary policy RET6 and the neighbourhood centre zoning objective as such is a non-conforming use with the NC zoning.

- The Planning Authority have ignored policy UD2, which requires a design statement. It is noted that there are other areas of the site that could facilitate extension (southern part) without the impact of the current proposal.
- It is noted that the proposal would have an adverse impact on the residential amenities of adjoining properties and would therefore be contrary the Objective A zoning of the site. The appellants outline the adverse impact the proposal would have in terms of overlooking, overshadowing and an overbearing visual impact.
- The appellants notes the two submission from Transport Infrastructure Ireland in relation it being at variance with national policy and deficient in terms of information regard traffic impact.
- The appellants note that in the event that permission is granted despite the issues of concern raised by the appellants, a number of amendments should be made by way of condition including reducing the height by omitting a floor, amend car parking layout to provide a landscaped strip adjoining boundary with no.s 13, 14 and 17A Woodlands Park, relocate access to underground car park from the northern side to the southern side and hours of construction to be no earlier than 9am.

6.2 Responses

6.2.1 Response by Dun Laoghaire Rathdown County Council.

- It was considered that grounds of appeal did not raise any new matter that would justify a change in attitude towards the proposed development.

6.2.2 Response by Doyle Kent Planning & Architecture on behalf of the applicant, Talbot Hotel Stillorgan.

- The applicant clarifies the extent of works proposed including detailing the level of excavation to facilitate car parking in the basement area. It is noted that the description of the proposed development is not misleading.
- It is noted that the established hotel use on site means that an extension to such would not contravene either of the zoning objectives relating to the site. It is noted that an additional 61 bedrooms would not be out of keeping in the context of the established hotel use and adjoining residential development.
- The applicants have submitted a report from the architects of the project outlining the design rationale for the proposal with the extension proposed considered the most appropriate location having regard to the level of existing parking and the opportunity to provide basement car parking.
- The proposal has been designed to have regard to the amenities of adjoining residential properties with it noted that there are no opposing windows on the elevation facing Woodlands Park, the use of frosted glass to the lower section of the bedroom windows and the use of double curtains in existing rooms to provide privacy.
- The applicant have provided a Shadow Analysis report that demonstrates the proposal would have an acceptable impact on adjoining properties (within the BRE guidelines).
- The response notes that information in regards to traffic impact and assessment is appropriate and adequate. It is noted that as the development is within the 60kph zone of the N11 it is not subject to Spatial Planning and National Roads planning guidance. It is noted that the impact of the proposed development is less than the 5% the impact threshold advised in the TII Traffic and Transport Assessment Guidance. The applicants have submitted report from the authors of the TIA outlining such factors.

- The applicant notes they have no objection to the provision of landscaped strip along the boundary adjacent the dwellings in woodlands or the restriction of construction hours to a 9am start should it be considered necessary. It is considered that relocation of the basement access is not feasible due to the traffic flow system on site.

6.2.3 Response by Kieran O'Malley & Co Ltd on behalf of the third party appellants.

- It is noted that the applicant's submission confirms the appellants' concerns regarding the scale and extent of development and its description in public notices, it noted that the level of separation between the extension and dwellings in Woodlands Park is inadequate, the proposal would not deal with concerns regarding disturbance from functions and music and the intensification of use would increase such disturbance. The measures outlined by the applicant in regards to privacy are inadequate and the proposal has an adverse impact on outlook from the appellants' properties. The appellants note that the sections submitted are misleading in terms height and ground level relative to the adjoining properties.
- The appellants remain of the view that the description of the proposal is inadequate and is a five-storey development. It is noted that the response does not address inaccuracies in the number of bedrooms stated.
- The appellants reiterate their concerns regarding the proposal in the context of the NC and A zoning objectives and development plan policy in regards to neighbourhood centres. The appellants note the proposal materially contravenes both zoning policy and policy RET6.
- The architect's response does not outline the design rationale for the proposal and is not adequate in the context of policy UD2.
- The appellants reiterate concerns regarding impact on residential amenity through overlooking and note the measures proposed by the applicant are inadequate.

- The appellant reiterate concerns regarding overshadowing and note that the shadow analysis is selective in the timings used and note the lack of information for March a time where extensive overshadowing was indicated in the initial application. It is noted the vertical sky component at many of the windows of neighbouring properties is below the BRE standards of 27%.
- The appellants noted the submission of the TII and their view that the proposal would have an adverse impact on a national route and note that the Spatial Planning and National Roads guidelines do apply in this case.

6.3 Submissions to Local Authority:

6.3.1 20 submissions were received by the Local Authority and the issues raised be summarised as follows...

- Design, scale and proximity to existing dwellings and subsequent impact on residential amenity through overlooking, overshadowing, and an overbearing impact. Issues raised also included concerns regarding accuracy of the development description and traffic impact on the N11 and the access road to Treesdale.

7.0 Assessment

7.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Principle of the proposed development/development plan policy

Design, scale, visual impact, adjoining amenity

Traffic impact

Appropriate Assessment

Other Issues

7.2 **Principle of the proposed development/development plan policy:**

7.2.1 The appeal site straddles two zonings under land use zoning policy. The majority of the site is zoned Objective NC with a stated objective 'to protect, provide for and-or improve mixed-use neighbourhood centre facilities'. A smaller part of the site (eastern portion of the site) is zoned Objective A with a stated objective 'to protect and/or improve residential amenity'. The appellants are of the view that the proposed development would contravene the zoning objectives at this location. The appellants are also of the view that the proposal is contrary policy RET6 relating to neighbourhood centres, which states 'to encourage the provision of an appropriate mix, range and type of uses – including retail and retail services – in areas zoned objective NC subject to the protection of the residential amenities of the surrounding area'.

7.2.2 The appeal site is occupied by a long standing hotel use. The proposal is for an extension of the existing structure to provide for additional bedrooms (61). The proposal is for an extension of a permitted and established long standing use, the

proposal does not include any change of use of the existing use on site. Having regard to such, I am satisfied that the proposal would not be precluded on the basis that the site is zoned both NC and A. I would also note that hotel use is indicated as being 'open for consideration in both zonings'. The appellants emphasise the neighbourhood centre zoning of the site and the fact that the existing use and proposed development is at odds with the function and range of uses of neighbourhood centres referring in particular to policy under RTE6 (outlined above). As noted the proposal is for a long established conforming use (open for consideration within both zonings) at this location. The assertion that the extension of such would be contrary policy RET6 is a narrow and unrealistic assessment and fails to have regard to the existing and established use and would preclude any extension of the existing permitted use on site. I am satisfied that the principle of the proposed development is satisfactory and would be acceptable in the context of zoning objectives of the site. I would note that the impact of the proposal on adjoining residential amenity is an important consideration in terms of its acceptability under the Objective A zoning. The impact of the proposal in such regard is to be assessed in later sections of this report. I am satisfied the principle of the proposed development is acceptable in the context of land use and development plan policy.

7.3 Design, scale, visual impact, adjoining amenity:

7.3.1 The proposal is for an extension to the rear (eastwards) of the existing hotel structure. The existing structure is substantial in size and is three-storeys when viewed from the front. The change in levels on site moving east means there is a semi-basement level visible to the rear. The proposed extension entails a reduction in ground levels to the rear and the provision of a car parking area on the lowest level and four floors above. The extension is around a central courtyard (roof of the parking level) and is marginally higher than the ridge height of the existing hotel structure at its highest point (top of the lift shaft is 1.5m higher and the bulk of the extension is 0.5m higher than the existing hotel structure). The extension does step down a floor at its eastern elevation. The appellants raise a number of issues of concern including the impact of the proposal on residential amenity due to its scale

and proximity to adjoining residential properties with issues such as overshadowing, overlooking and overbearing impact noted as specific concerns.

7.3.2 As noted above the proposed extension is located to the rear of the existing hotel structure on site and is subordinate in scale to the existing structure. Although it is higher in ridge height, such is a marginal amount meaning the extension is not highly visible relative to the public area such as along the N11. I would consider that the overall impact of the extension from the public realm is acceptable and would have no significant or adverse impact on the visual amenities of the area.

7.3.3 Existing residential development adjoining the site includes a number of detached dormer style dwellings, whose rear gardens back onto the north eastern boundary of the site and include no. 12, 13 and 14 Woodlands Park, a detached dormer style dwelling adjacent the north eastern boundary, 17A Woodlands Park. To the south east is the housing development, Treesdale, which consists of two-storey semi-detached dwellings with no.s 32 and 46 having their gables immediately adjoining the south eastern boundary of the site. The extended structure still retains relatively generous separation distances from the boundaries of the site and the adjoining properties with smallest distance 14.635m between the extension and the north eastern boundary (adjacent no. 13 Woodlands), the separation distances between the extension and no. 14 is over 20m and the separation distance between the extension and no. 17A (at their nearest points) is even greater. The separation distances between the extension and the south eastern boundary adjacent no. 46 Treesdale is 18.888m at their nearest points. In the case of no.s 13 and 14 have back gardens backing onto the boundary of the site with the depth of the back gardens also providing separation from the appeal site and the proposed extension.

7.3.4 A number of measures are proposed to prevent overlooking. Firstly the northern and southern elevation of the extension feature protruding bays with the windows located on the eastern and western side of the bays with no windows facing north or south. The windows on the protruding bays on northern elevation serve the corridor (rooms along the corridor facing into the courtyard) and rooms on the southern side of the extension. On the western elevation of the extension it is proposed to fit frosted glass

on the lower portion of the window. I would consider that the design of the proposal taken in conjunction with specific measures proposed in regards and separation distances from existing development would provide for a development that is acceptable in the context of the amenities of adjoining properties. I am satisfied that the design and such measures prevent overlooking of adjoining properties.

7.3.5 The appellants raise concerns regarding loss of light and overshadowing and subsequent impact on residential amenity. As noted above the separation distances from the boundaries of the site are relatively generous and in the case of the dwellings to the north/north east, the separation between the structure and the dwellings themselves is greater as they have back gardens backing onto the site. The applicant has provided a shadow analysis for the proposed development submitted in response to the appeal. The shadow analysis shows the impact of both the existing hotel without extension and the hotel with the extension on three days of the year, the 21st March, 21st June and the 21st December and for four separate times during the day 10:00, 12:00, 14:00 and 16:00. The response also includes a consideration of Vertical Sky Component (VSC), which relates to windows on no. 12, 13, 14, 15 and 17A Woodlands Park, and no. 31 and 32 Treesdale. The analysis includes the existing VSC and projected VSC after extension. It is noted that in all cases all points measures have VSC value greater 0.8 times their former value meaning that the no reduction greater than 20% and that such is accordance with the BRE guidelines. The response also includes analysis of sunlight to existing gardens with consideration of no.s 12, 13, 14, 15, 17A Woodlands Park, and no.s 32, 33, 45 and 46 Treesdale. The analysis relates to the number of hours the gardens receive sunlight and is based on the situation on the 21st March. It is noted that in all cases there is reduction in the area of rear garden areas receiving at least 2 hours of sunlight on March 21st however this reduction is not greater than 20% and that such is in accordance with the BRE guidelines. There was an earlier solar analysis (submitted 15th March 2017) showing shadow impact for the same dates but different times (09:00, 12:00, 15:00 and 18:00), I am satisfied that such also demonstrates that the impact of the proposed development would be satisfactory. I am satisfied based on the information submitted that the proposed development would not give rise to an unacceptable level of overshadowing or loss of light in

relation to any of the adjoining properties and associated amenity space. I would note that the shadow analysis submitted does not take into account the extensive and high level of vegetation and in some case wooden panel fencing the highest above the existing wall (within the adjoining sites) located along the boundary of the site adjoining the rear of no,s 12, 13 and 14 Woodlands Park. I would note that such would both aid privacy and in itself reduce light level to the rear of such properties irrespective of the proposal.

7.3.6 The appellants have note that the proposal would have an overbearing impact and an unacceptable change in visual outlook for existing properties adjacent the site. As noted above, I am satisfied that the proposal has an acceptable physical impact in terms of the privacy of existing properties and light levels/shadow impact. I am satisfied that despite the increased scale of structures on site that the outlook and impact of the proposal is not significantly different from the existing arrangement with the existing use established and the existing structure being similar in scale and visual impact to that proposed. I am satisfied that there is adequate level of separation between the proposed structure and the adjoining properties, that the scale and design of the proposed structure is subordinate to the existing structure on site and the proposal would not be an overbearing in relation to adjoining properties or significantly alter their visual outlook.

7.3.7 The appellants raise concerns regarding general noise and disturbance including noise from music and functions and activity in the car park. The proposal is an extension that provides for new bedrooms and does not entail any change to existing functions rooms or the intensity of such activity on site. Such are pre-existing and permitted development and the proposal entails no change to such. There is an established and permitted parking area at this location and the extension does not change the nature of the use and activity on site. I do not consider that additional bedrooms would generate additional disturbance over and above the intensity of existing activities on site. I am satisfied that the overall design and scale of the proposal is acceptable in the context of the amenities of adjoining properties and would be in accordance with the proper planning and sustainable development of the

area. Having regard to such I would consider that the proposed development is consistent with the Objective A zoning of the site.

7.4 Traffic Impact:

7.4.1 The existing hotel has a number of existing entrance points. There are two existing vehicular entrances on the road frontage along the N11, one to the north of the site and one to the south. There is also a side entrance to the south that is accessed from a road (Priory Drive) that serves residential development to the south and south east of the site and has a signalised junction with the N11 to the south of the site. There is a one-way system in operation with traffic travelling clockwise around the structure on site and with the entrance to the north used for entrance and the one to the south used for exit. The entrance off Priory Drive facilitates access and egress.

7.4.2 The proposal does not entail any change to the overall access arrangements. The proposal entails an increase in the number of bedrooms with 61 proposed in the extension (access to the structure from extension entails loss of 5 no. existing bedrooms to facilitate corridor access). There is existing surface car parking with the proposed extension covering part of the existing parking. The proposal does entail the provision of parking in the basement floor of the proposal. The Transportation Section report notes that the existing hotel has 265 car parking spaces while the applicant's traffic report notes that it is 211. The extension of the hotel and alterations to the parking layout will entail the provision of a total of 225 car parking spaces on site including existing parking and that proposed in the basement level. It is noted that the existing hotel has 150 bedrooms with 61 additional bedrooms proposed. The applicants note that the total no. of bedrooms will be 211 (I would question this figure in that there are 160 existing rooms and 61 proposed with 5 existing bedrooms are being lost due to the need to provide corridor access into the extension). I would note that the total number of bedrooms proposed is 221. The car parking requirement for hotel development under Table 8.2.4 is 1 space per room for general development and 1 space per 2 rooms for designated areas along public

transport corridors (For non-residential developments a separate package of parking standards in column three of Table 8.2.4 have been set for certain specific land uses in designated areas alongside public transport corridors. This applies to developments located within a 1km catchment of a Priority 1 Quality Bus Corridor⁴, a Luas, Bus Rapid Transit or DART station/stop and within a 500m catchment of an existing bus priority scheme). The site is located along such a transport corridor (N11 QBC) and therefore the lower standard of 1 space per 2 bedrooms applies. I would consider that the level of parking provided is sufficient to cater for the existing and extended hotel. I would recommend attaching conditions similar to conditions no.s 2, 3 and 4 in relation disabled access parking, staff parking and cycling parking facilities.

7.4.3 The proposal is for extension of an established development with no change to access arrangements. The proposed extension is subordinate to the existing intensity of use on site and the site itself is located within the urban speed limit zone of 60kph. A Transport Assessment (TA) was submitted in response to further information. The TA outline the site context including existing public transport infrastructure in the area and parking facilities on site. The TA also outlined the proposed parking arrangements including details of parking control measures. The TA includes details of trip generation based on traffic surveys for peak hours (am and pm). The TA notes that percentage increase in traffic at the junctions serving the development to be well below the TII Traffic and Transport Assessment Guidelines (May 2014) threshold levels (Table 2.2 and 2.3) of 100 trips and below the threshold impact of 5%. It was concluded that no further traffic assessment was required and that the proposal has a satisfactory traffic impact.

7.4.4 It is notable that Transport Infrastructure Ireland have made submissions during the application stage including noting that the proposal would have an adverse impact on a national route (southbound traffic) and is at variance with national policy in relation to control of frontage development on national routes as set out under the TII document Spatial Planning and National Roads, Guidelines for Planning Authorities. The guidelines in question clearly states that such guidelines “set out planning policy

considerations relating to development affecting national roads (including motorways, national primary and national secondary roads) outside the 50/60kmh speed limit zones for cities town and villages”. As the development is located within the built up urban area of Dublin, which is zoned for urban development and within the 60 kmh speed limit zone it cannot be deemed to be contrary national policy in relation control of frontage developments along national routes as set out in the TII document Spatial Planning and National Roads, Guideline for Planning Authorities.

7.4.5 The proposal is for an extension to an existing hotel use with no change in nature and type of traffic generated. The proposal is likely to lead to an intensification of traffic, however I would consider that such would not be of an extent that would have an adverse impact in terms of traffic safety. The existing hotel is well serviced in regards to vehicular access with two access points along the N11 as well as an access through a signalised junction between Priory Drive and the N11. In addition it is notable that the existing access point directly off the N11 is only accessible to southbound traffic. In addition to acceptable traffic impact, sufficient parking is provided on site and the N11 is also well serviced in terms of public transport and is major bus public transport corridor. I am satisfied the proposal development would acceptable in context of traffic safety and convenience.

7.5 Appropriate Assessment:

7.5.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.6 Other Issues:

7.6.1 The appeal submission raises concerns regarding the development description noting that the extension is a five-storey structure and taking issue with the accuracy

of the development description used by the applicant. The development description is as four-storey over a semi-basement. It is notable that the existing structure on site is a three-storey structure, but has a semi-basement level that is visible to the rear below the ground floor, first floor and second floor level. The proposal does entail excavation to provide what is described as a semi-basement level and what is described as the ground floor is at the same level as the ground floor of the existing hotel. I would consider that the development description used is reasonably accurate and that the plans provided are clear in terms of the overall development proposed. The appellants also question the number of total hotel rooms including the extension noting that there is 161 existing, 61 proposed and 5 lost to facilitate corridor access. The applicant's documents note that there are 148 existing rooms and 61 proposed. I would agree with the appellant's that applicants documents are incorrect regarding number of rooms. There are by my count 160 existing rooms (22 on the first floor, 87 on the second floor and 51 on the third floor), 61 are being provided in the new extension and 5 are lost due to corridor access to the new extension with a total of 221 bedrooms proposed.

7.6.2 The appeal submission raises concerns that design statement in compliance with policy UD2 was not submitted. The information on file includes an architectural report and the appeal response also reiterates details regarding the design rationale of the proposal. As noted above I am satisfied that the overall visual impact of the proposed development is acceptable.

7.6.3 The documents submitted include a flood risk assessment that outlines the fact there is no history flooding on the site and the fact that the site is not located within Flood Zone A or B.

8.0 Recommendation

8.1 I recommend a grant of permission subject to the following conditions.

9.0 Reason and Considerations

9.1

Having regard to the provisions of the current Dún Laoghaire-Rathdown County Development Plan 2016-2022, to the scale and pattern of development in the area including the scale and proximity of existing residential development it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the further plans received on the 10th day of July 2017, 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 portion of the windows to be fitted with obscure glazing on the eastern elevation shall be permanently maintained as such unless subject to a separate planning permission.

Reason: In the interests of orderly development.

3. The Applicant shall provide six car parking spaces for each of disabled parking and parent and child parking, a total of twelve car parking spaces. The disabled parking and parent and child parking spaces shall be provided in accordance with

Section 8.2.4.6 Parking and Loading Bays of the Dún Laoghaire-Rathdown County Development Plan, 2016-2022.

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

4. The Applicant shall provide 20 No. short stay (visitor) and 20 No. covered long stay and employee cycle parking spaces for the proposed development.

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

5. The Applicant shall provide cycling facilities for staff/employees in accordance with the Dun Laoghaire-Rathdown County Council Standards for Cycle Parking and associated Cycling Facilities for New Developments.

Reason: In the interest of the proper planning and sustainable development 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. Site development and building works shall be carried only out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. Details of the materials, colours and textures of all the external finishes to the proposed development 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.

9. 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 residential amenities of property in the vicinity and the visual amenities of the area.

10. 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.

Reason: In the interests of sustainable waste management.

11. 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 area(s) 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 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) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

(j) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

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 interest of amenities, public health and safety.

12.

a) The applicant is required to employ a qualified archaeologist to monitor all groundworks associated with the development.

b) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs with regard to any necessary mitigating action (e.g. preservation *in situ*, or excavation) and should facilitate the archaeologist in recording any material found.

c) The Planning Authority and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs shall be furnished with a report describing the results of monitoring.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites features or other objects of archaeological interest.

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 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.

Colin McBride
Planning Inspector

08th December 2017