



An
Bord
Pleanála

Inspector's Report ABP-301300-18

Development	5-storey extension of c. 2,536m ² to the rear of existing hotel.
Location	Crowne Plaza Hotel, Dublin Airport, Northwood Park, Santry Demesne, Dublin 9
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F17A/0693
Applicant(s)	Tifco Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party
Appellant(s)	James Wharton.
Observer(s)	None.
Date of Site Inspection	2 nd August 2018.
Inspector	Karen Kenny

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1.0 Site Location and Description

- 1.1. The appeal site is located in Northwood Park, Santry, Dublin 9 and fronts directly onto Northwood Avenue. The site, with a stated area of 1.8 hectares, comprises a 5 storey hotel structure that encompasses the Crowne Plaza Hotel, a connected Holiday Inn Express hotel and a multi-storey car park.
- 1.2. The site is accessed via Northwood Avenue from the R132 (Swords Road) to the east and the R108 (Ballymun Road) to the west. The hotel building and multi-storey car park front onto the northern side of Northwood Avenue. The site has mature trees along its northern boundary. Santry Demesne Park is located to the south and there are apartment blocks to the immediate west of the site and commercial units to the immediate east.

2.0 Proposed Development

- 2.1.1. Permission is sought for a 5 storey extension to the rear of the Crowne Plaza hotel and for internal alterations to the existing hotel.
- 2.1.2. The extension has a stated floor area of 2,536 square metres and would result in a stated combined hotel floor area of 13,845 square metres. The development includes service yards and stores at ground level and hotel accommodation on the upper floors.
- 2.1.3. The existing Crowne Plaza hotel has a total of 209 no. bedrooms. The proposed development would have an overall total of 269 bedrooms (net increase of 60 bedrooms). The adjoining and connected Holiday Inn Express hotel has a further 114 no. bedrooms and has approval to construct a further 100 hotel bedrooms (P.A. Ref. F17A/0255 refers).
- 2.1.4. The proposed development includes alterations to access arrangements at the entrance to the existing multi-storey car park, piped infrastructure and ducting, roof plant, bicycle parking, changes in levels and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

Grant Permission subject to 19 no. conditions. The following conditions are of note.

- Condition no. 6 states that car parking spaces within the red and blue line of the site shall only be used for hotel related purposes and shall not be used for airport related car parking.
- Condition no. 7 requires tree protection measures to be put in place during the construction works.
- Condition no. 11 requires the use of cranes during construction to be agreed with the Irish Aviation Authority and Dublin Airport Authority prior to the commencement of development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's Report generally reflects the decision to grant permission.

3.2.2. Other Technical Reports

Transportation Section: No objection.

Parks and Green Infrastructure: No objection.

Water Services: No objection.

3.3. Prescribed Bodies

Dublin Airport Authority: No objection, subject to conditions in relation to the Outer Airport Noise Zone and the use of cranes on site.

Irish Water: No objection.

Environmental Health: No objection.

3.4. **Third Party Observations**

- 3.4.1. One third party submission was received and considered by the Planning Authority. The issues raised are similar to those raised in the grounds of appeal as set out below.

4.0 **Planning History**

- 4.1.1. The following planning history pertains to the site:

P.A. Ref. F17A/0255

Application for 100-bedroom extension to the Holiday Inn Express Hotel. Permission granted.

P.A. Ref. F17A/0194:

Application for new signage. Permission granted.

P.A. Ref. 16A/0129:

Application for 5 no. additional bedrooms at the Crowne Plaza. Permission granted.

P.A. Ref. F04A/1392:

Application for extension of existing hotel to provide function / conference facilities, meeting rooms and 114 no. additional bedrooms and a multi-storey car park. Permission granted.

Further alterations approved under F05A/1382 (fire officer requirements, F05A/1479 (additional restaurant and bar facilities), F05A/1765 (revised bedroom floor plans), F06A/0524 (roads and parking), F06A/0676 (electricity generator) and F09A/0621.

P.A. Ref 05A/1479:

Application for additional restaurant / bar of 230 square metres in area to the rear of the Crowne Plaza Hotel. Permission refused for two reasons relating to car parking provision, over development of a restricted site and impacts on the residential and visual amenity of the area.

ABP Ref. PL06F.112730 / P.A. Ref. F98A/1328:

Application for mixed use development consisting of an apartment complex and associated amenity building, an office complex, a hotel and a public park.

Permission granted by the Planning Authority. The decision to grant permission was subject to an appeal. An Bord Pleanála upheld the decision of the Planning Authority and granted permission.

Alterations approved under F01A/1480, F02A/1494, F03A/0597 and F03A/1043.

5.0 Policy Context

5.1. Development Plan

The Fingal County Development Plan 2017-2023 is the relevant statutory plan.

- The site is zoned 'RS' for the most part with an objective to 'provide for residential development and protect and improve residential amenity'.
- Lands to the north (rear) of the hotel are zoned 'OS' with an objective to 'preserve and provide for open space and recreational amenity'.
- The site is within the boundary of the Santry Demesne Tree Preservation Order.
- Objective ED58 promotes and facilitates tourism as a key economic pillar and supports the provision of necessary significant increase in facilities including hotels and aparthotels. Objective ED61 seeks to direct tourist related facilities into town and village locations to support and strengthen the existing economic infrastructure of such centres.
- The site is located within the Outer Airport Noise Zone

5.2. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

A third party appeal has been received. The ground of appeal can be summarised as follows:

- The five storey extension is excessive and is inconsistent with the enjoyment of the facilities at Santry Park in the adjoining site and the adjoining buildings and development.
- The development will interfere with the skyline.
- The development will generate additional traffic that the infrastructure is not designed to cope with.
- Fingal County Council failed to completely address the concerns raised in the decision to grant planning permission.

6.2. Applicant Response

The applicant's response can be summarised as follows:

- The appeal is without substance and has been lodged for entirely vexatious reasons. The applicant invites the Board to dismiss the appeal under Section 128 (1) of the Planning and Development Act.
- The applicant's opinion is that an oral hearing would not aid the Board's assessment of the appeal.
- No evidence is provided to support the assertion that the five storey extension is 'excessive'. The extension will match the height of the existing 5-storey hotel building and is modest in scale. It is to the rear of the existing hotel and will connect into the return of the building. Upon completion the extension will read as a fully integrated component of the existing structure.
- There is no evidence to support the assertion that the development would be 'inconsistent' with the enjoyment of facilities at Santry Park or any adjoining development. The proposal relates to the extension of an existing hotel that has operated successfully for 15 no. years with no impacts arising to adjoining lands. The extension would be entirely in keeping with the permitted form and scale of development on the site.
- In response to the assertion that the development will interfere with the skyline, it is submitted that the extension is located to the rear of the subject site and matches the height and profile of the existing building. The proposal

would not be visible in public views of the site from Northwood Avenue and will be largely screened by trees and planting from the north. It will read as part of the existing hotel development in easterly and westerly views. As such, no skyline or visual impacts will arise.

- The claim that the development will create an unacceptable traffic impact is not supported. A comprehensive Traffic and Transport Assessment accompanied the application. The results indicate that the development would result in a c. 1-2% increase in traffic volumes at the Swords Road / Northwood Avenue junction during peak hours which is a negligible impact.
- The Transport Section of Fingal County Council concluded that the extension would not create any significant additional traffic, especially during peak hours and that the reduction in the existing, under-used car park would leave sufficient parking provision to cater for the proposed development.
- Fingal County Council's assessment, includes a commentary on the submission received from the appellant and this point of appeal is inaccurate and should be dismissed.

6.3. Planning Authority Response

The response of the Planning Authority can be summarised as follows:

- No new issues have been raised. The issue of height and impact on the skyline / adjoining area were extensively considered during the assessment of this application.
- The site is considered suitable for such structures as the location of the building and its setting allow for increased heights.
- Traffic issues were considered by the Traffic Section of FCC with no issue of concern raised. The site is located close to the R132 Swords Road and is also close to the R108 Ballymun Road, which provide access to national routes in the form of the M1 and M50. The site is not directly served by public transport but is within 400 metres of a bus stops that served the City Centre, Dublin Airport, Swords, North County Dublin, Meath and Drogheda. The site

is well served by public transport and no concerns have been raised in relation to car use.

6.4. **Observations**

None.

7.0 **Assessment**

7.1. I consider that the main issues in this case are as follows:

- Validity of Appeals
- Principle of Development
- Impact on Amenity
- Visual Impacts
- Transportation Impacts
- Dublin Airport
- Tree Protection
- Other Issues
- Appropriate Assessment (AA) Screening

7.2. **Validity of Appeals**

7.2.1. While I would note that the applicant has referred to the matter of the appeals being without substance by reference to Section 138 (a) (ii) of the Planning and Development Act, as amended, I consider the matters raised to be relevant within the context of the subject application and recommend that the appeal is considered.

7.3. **Principle of Development**

7.3.1. The Fingal County Development 2017-2023 is the relevant statutory plan. The proposed extension would be situated on lands that are zoned 'RS' with an objective to 'provide for residential development and protect and improve residential amenity'. Lands to the north (rear) of the hotel are zoned 'OS' with an objective to 'preserve

and provide for open space and recreational amenity'. Hotels are not listed as being either 'permitted in principle' nor 'not permitted' within the RS zoning objective. In such cases the use is assessed in terms of its contribution to the achievement of the zoning objective and vision and compliance and consistency with the policies and objectives of the Development Plan. There is an established hotel use on the site that was approved by An Board Pleanála as a part of a wider mixed-use development and amended through later permissions. I consider that the principle of a hotel use is established on the site by the previous grants of permission and the established use and that the proposal to extend this hotel is acceptable in principle.

7.4. Impact on Amenity

- 7.4.1. The grounds of appeal argue that the proposed extension is excessive and is inconsistent with the enjoyment of the facilities at Santry Park and the adjoining buildings and development. The applicant's response states that no evidence is provided to support the assertion that the extension is 'excessive'.
- 7.4.2. I would note that the proposed extension will match the height of the existing hotel building. It is positioned to the rear of the existing hotel and will connect into an existing return. I have reviewed the development approved on the site under P.A. Ref. F17A/0255, to the rear of the adjoining Holiday Inn Express hotel. I consider that the site is of sufficient size to accommodate both developments and that no conflicts would arise. Given the level of separation between the proposed development and Santry Park and the adjoining residential and commercial developments, I am satisfied that the development would not give rise overlooking or overshadowing impacts, or otherwise impact on the amenities of the adjoining land uses.
- 7.4.3. In relation to impacts that may arise during the construction phase, I consider that issues relating to hours of construction, traffic management, noise and air quality can be adequately mitigated through best practice construction management and a suitable condition.

7.5. Visual Impact

- 7.5.1. The grounds of appeal argue that the proposed development will interfere with the skyline. The extension is located to the rear of the existing hotel. It has a modest footprint and would match the height and profile of the existing structure. I am satisfied that the extension will integrate into the existing structure and will have limited visibility from outside of the site, due to the tree planting to the north and the hotel building to the south. Some limited and distant views may be possible from the east. However, I am of the view that the extension would be almost indiscernible from the existing hotel structure. On the basis of the foregoing, I consider that the development would not have a negative impact on visual amenity or on the established skyline.

7.6. Transportation Impacts

- 7.6.1. The grounds of appeal argue that the proposed development will generate additional traffic that infrastructure in the area is not designed to cope with. The Transport Assessment submitted with the application forecasts an additional 16 trips in the am peak and 11 in the pm peak as a result of the proposed development. This would be insignificant in the context of the overall road network in my view.
- 7.6.2. In terms of car parking, I note the Development Plan Standard is 1 space per hotel bedroom. The proposed development and the development approved on the site under P.A. Ref. F17A/0255 would have a total of 483 no. hotel bedrooms, if both permissions are implemented. The submitted Traffic Assessment states that staff generally travel to the site by alternatives to private car and includes details of a car parking study, taken over a month, that shows maximum occupancy in the car park of 64%. On this basis the overall development would create a demand for c. 309 car parking spaces. Fingal County Council's Traffic Section concludes that the reduction in the existing under-used car park would leave sufficient parking provision to cater for the proposed development. I would concur with the view of the Planning Authority.

7.7. Dublin Airport

- 7.7.1. The appeal site is located within the Outer Airport Noise Zone. An observation received from the DAA at application stage requests that in the event that permission is granted that a condition is attached requiring appropriate noise mitigation measures. The observation from the DAA also states that the operation of cranes during construction may cause concern in relation to air safety and would require further detailed assessment in relation to flight procedures at Dublin Airport. It is requested that a condition is attached in the event of a grant of permission requiring proposals for crane operations to be agreed with the DAA and IAA in advance of construction. If the Board are minded to grant permission for the proposal, I would suggest that a condition is attached to address the issues raised by the DAA.

7.8. Tree Protection

- 7.8.1. Details submitted at further information stage included proposals for the protection of trees on the site. I am satisfied that the submitted tree protection measures are acceptable and recommend, in the event of a grant of permission that a condition is attached in relation to the tree protection measures.

7.9. Other Issues

- 7.9.1. While I note the concerns raised in respect of the Planning Authority's assessment of the application, I do not consider this to be a matter for the Board.
- 7.9.2. The drawings and details submitted with the application, are considered to satisfactorily address surface water drainage, foul drainage and water supply.
- 7.9.3. I note the contents of the submitted Flood Risk Assessment, which indicates that the site is at low risk of flooding, and accept the findings of this report.

7.10. Appropriate Assessment (AA) Screening

- 7.10.1. I note the details contained in the Appropriate Assessment Screening Report was submitted with the application (dated October 2017). The appeal site is not within or adjoining any Natura 2000 site. Having regard to the nature and scale of the proposed development, the location of the site in a serviced urban area and the

separation distance to the nearest European sites, 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.

8.0 Recommendation

I recommend that permission for the proposed development is granted, subject to the conditions set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the extant permission for a hotel on the site and the location and established pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed revisions would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would not, therefore, be contrary to the proper planning and sustainable development of the area.

10.0 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 particulars submitted on the 1st February 2018, 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 proposed car parking shown within the area outlined in red, shall be

used for hotel-related uses only and shall not be used as “park and fly” parking (that is, parking which is not directly ancillary to the use of accommodation in the hotel by the drivers/occupants of such cars).

Reason: In the interest of orderly development.

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

Reason: In the interest of visual amenity.

4. Details of any external signage shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

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

5. 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.

6. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To enable the planning authority to assess the impacts of any such changes on the amenities of the area.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such

works.

Reason: In the interests of environmental protection, orderly development, and public health.

8. The use of cranes during construction shall be agreed in advance with the planning authority, following consultation with the Irish Aviation Authority (IAA) and the Dublin Airport Authority (DAA).

Reason: In the interest of aviation safety.

9.
 - (a) Tree protection measures shall be implemented during the construction phase in accordance with the requirements of the planning authority.
 - (b) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.
 - (c) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

10. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

12. 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. 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Karen Kenny
Senior Planning Inspector
17th August 2018