



Development	Extension and remodelling of existing hotel including 2 additional storeys to form a 6 storey building. The proposal will provide for an additional 128 bedrooms.
Location	Red Cow Complex, Naas Road, Dublin 22.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD18A/0436
Applicant(s)	Guestford Limited.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party v. Decision.
Appellant(s)	Ryan Wall Covering Ltd & Ballincolly Property Ltd.
Observer(s)	Transport Infrastructure Ireland.
Date of Site Inspection	12 th July & 21 st August 2019.
Inspector	Susan McHugh

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1.0 Site Location and Description

- 1.1. The appeal site is located 7.2km from Dublin's City Centre, and east of the Red Cow M50/N7 interchange which provides access to the south and west of Ireland and links to all areas of Dublin. It is situated south of the Naas Road R110, at the junction of the Naas Road and Turnpike Road.
- 1.2. The area is characterised by a variety of commercial and light industrial uses, with residential development located to the west of the M50/N7 interchange.
- 1.3. The appeal site also referred to as the Red Cow Hotel complex, forms part of a larger landholding which includes the Red Cow Inn and Coby Autos to the northeast.
- 1.4. The Red Cow Moran Hotel comprises the original three storey hotel building with mansard roof, and two hotel wings to the north east and south east. The recently constructed 9 storey hotel wing is located to the south of the original Red Cow Hotel building. The hotel currently provides c.320 hotel bedrooms, conference /banquet suites, restaurant and bar areas, meeting rooms and associated services, and has a stated floor area of 18,913sqm.
- 1.5. Access to the Red Cow Hotel complex is via a left in only junction off the Naas Road to the north, a priority-controlled T-junction at Turnpike Road to the south, and via Robinhood Road to the east, which also serve the adjoining commercial and industrial units within the overall Ballymount area. Parking is provided within two pay controlled surface car parks to the front and rear of the hotel.
- 1.6. The Red Cow Luas stop, and park and ride is located c. 430m or 8-minute walk from the Red Cow Hotel, providing links to Dublin City Centre and there are also a number of bus services that operate along the Naas Road with stops located c. 75-150m or a 2-minute walk for the subject site.
- 1.7. The Red Cow Business Park is located to the south east of the appeal site and is accessed from Turnpike Road with associated car parking to the front and rear. It includes Units 3A and 3B which are occupied/owned by the third-party appellants to the appeal.
- 1.8. Existing boundary treatment to the Red Cow Business Park at the surface car park to the rear of the hotel consists of a 2m high painted metal mesh fence with planting.
- 1.9. The site area is stated as 1.98ha.

2.0 Proposed Development

2.1. Permission is sought for modifications to existing permissions P.A. Reg. Ref. SD17A/0470, SD16A/0047, SD15A/0386 and SD15A/0138, and includes the following;

- *Northeast wing of original hotel building* - Partial demolition and construction of new hotel wing, of 5 storey over basement, with adjoining stairs and lift core of 6 storeys;
- *Original main hotel building* - Remodeling and modifications including removal of mansard roof and provision of additional 2 storeys resulting in a 6 storey building;
- *Ground floor between the original hotel and recent hotel extension* - Provision of a new glazed atrium (c.490sq.m) with bar, and redesign to provide an enlarged restaurant area to the northeast (by c.242sq.m), and extension to the café link at ground floor by c.150sq.m.;
- *South east wing* - Conversion of 13 ground floor bedrooms into 6 new conference/meeting rooms and event space;
- Provision of a new covered outdoor smoking area of c.31sq.m;
- Demolition of existing shed - Provision of a new ESB substation and switch room (c.54sq.m) in their place;
- *First floor level in the newly constructed wing* - New service link resulting in the removal of one bedroom;
- *Signage* - Provision of 5 pieces of art signage on the roof, signage over the restaurant and bar at ground floor level on the northwest elevation and signage on the new stair tower at 6th floor level on the northwest and southeast elevations;
- *Associated site development* - Includes, staff facilities and back of house space, landscaping, open spaces, boundary treatment works, car parking and infrastructural services provision;

2.1.1. The proposal will result in an additional c.128 new hotel bedrooms (including 12 two room aparthotel/apartment rooms providing a total of c.435 hotel bedrooms. The revisions result in a net increase in gross floor area of hotel accommodation by c.7,106sq.m.

2.1.2. The application was accompanied by the following;

- Planning Report – McGill Planning Limited
- Architects Design Statement – Douglas Wallace Architects
- Photomontages - Modelworks
- Engineering Assessment Report – Frank Fox and Associates
- Traffic Impact Assessment – TPS Ltd.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to **grant** permission 14/02/2019 subject to 14 no. conditions. Conditions of note include: -

Condition No. 1	Plans and particulars.
Condition No. 2	Art signage at front (west) parapet to be omitted.
Condition No. 3	Drainage requirements.
Condition No. 4 & 5	Construction and Demolition Traffic Management Plan
Condition No. 6	Management of dust during construction and demolition phase.
Condition No. 7-10	Noise level restrictions.
Condition No. 11	Signage restrictions on illumination.
Condition No. 12	Construction Waste Management Plan.
Condition No. 13	Consult with Department of Defence and the Irish Aviation Authority in respect of the erection of any cranes
Condition No. 14	Section 48 Development Contribution of €607,349.82.

3.2. Planning Authority Reports

3.2.1. Planning Report dated 14/2/2019 is the basis for the planning authority decision. It includes;

- The site is zoned '**EE**' and the zoning objective seeks '*to provide for enterprise and employment related uses*'. Hotel use is '*Open for*

Consideration', is an established use and the principle of extending the hotel is in accordance with the zoning objective.

- **CS6 SLO 1:** seeks *'To prepare a Ballymount Local Area Plan for lands zoned REGEN, EE, and LC, stretching southwest from Walkinstown Roundabout along the Greenhills Road (including those areas adjacent to Greenhills Estate) to the M50, north from there to the Red Cow, east from there along the Naas Road to the city boundary, and along the boundary back to Walkinstown Roundabout. The subject Local Area Plan to be concluded by the end of 2018; and the lands north of this between the M50, the Grand Canal and city boundary currently zoned EE to be considered for inclusion in this plan. The Naas Road Framework Plan (2010) to be taken into consideration during the preparation of the Local Area Plan.'*
- Proposed **Variation No.3** to the South Dublin County Council Development Plan 2016-2022 has commenced and provides for a change in the zoning of c.178ha of 'EE' zoned lands to 'REGEN' with an objective to facilitate enterprise and/or residential led development. The variation also proposed amendments to the existing CS6 SLO1. Consideration of the Variation at the Council Meeting at the Council Meeting on February 11th, 2019 amended the proposed wording for CS6 SLO1. This amendment is considered material and further public consultation will take place in the coming months.
- Preparation of the Ballymount Local Area Plan has not yet commenced. The proposed development is not considered premature pending the commencement and completion of the Ballymount LAP, given;
 - The proposed use is open for consideration within the Land Use Zoning Matrix,
 - The proposed use is an extension of an existing use and existing planning permissions within the subject site,
 - Accessibility and proximity to existing public transport and National Road network,
 - No significant infrastructural barriers to 'unlock',
 - The subject lands are located at the edge of the proposed LAP area, and
 - Proposed Variation No.3 which proposes to amend the SLO in the Development Plan in relation to the LAP area.

- *Design Statement* - The applicant has submitted a comprehensive Design Statement which complies with the criteria detailed within Section 11.21 of the County Development Plan.
- *Height, Design and Impact on Visual Amenity* – The overall height of the proposal is c.21m. Having regard to the Urban Development and Building Height Guidelines, the County Development Plan, the planning history on the site, the key node location of the hotel and adjacent hotel extension, the height of the proposal is acceptable. The proposal for the additional 7,106sqm floor area is predominantly a vertical extension on the footprint of the existing building and is acceptable.
- *Signage and Art* – The scale and lettering of the signage at ground floor and on the 6th floor is acceptable and in accordance with Section 11.2.8 of the County Development Plan. The art signage on the roof in its current format is contrary to the County Development Plan and recommends that it be omitted by condition.
- *Access and Parking* – Notes reports and recommendations of Transport Infrastructure Ireland and Roads Section which can be dealt with by condition.
- *Landscaping* – The file was referred to the Parks Department, but no report was received. The proposed development does not appear to include any landscaping works and public notices do not detail landscape works. The proposed development is considered acceptable.
- *Services and Drainage* – Notes reports, and recommendations of the Environmental Services section and Irish Water and concerns raised in relation to the absence of SuDs measures can be dealt with by condition.
- *Public Health and Aviation Safety* – Notes reports and recommendations of the Environmental Health Officer and Irish Aviation Authority which can be dealt with by condition.
- Recommends a grant of permission.

3.2.2. Other Technical Reports

Roads Department – No objections subject to a construction traffic management plan to be submitted and agreed. The report notes;

'There are currently 415 No. car parking spaces on the site. Parking measures have been introduced by hotel management in recent years (pay parking introduced December 2016) and the application states that the existing on-site car parking will be adequate to service the proposals under the subject application. The average daily car parking occupancy within the complex is 57% and the highest demand for parking is during the early afternoon.

The County Development Plan sets the maximum parking rate for hotels in Zone 2 as 0.5 spaces per bedroom which equates to 64 No. spaces. It appears from the car parking occupancy figures submitted that this number of spaces is available on the site.

A Traffic Impact Assessment has been included with the application. The TRICS database has been used to estimate car trips associated with the proposed hotel extension. There are 37 No. two-way trips associated with the expansion expected in the AM Peak hour and 33 No. two-way trips expected in the PM Peak hour. This number of additional trips is minimal and should not adversely affect the surrounding road network.

It is noted that a new stair and lift structure is to be provided at the pedestrian bridge on the N7 which links the site to the Luas stop to the west. This is currently being progressed through the compliance stage in conjunction with TII.'

Water Services – No objection subject to requirements.

Environmental Services – Recommends further information in respect to a Project Construction and Demolition Waste Management Plan.

Environmental Health Officer (EHO)– No objection subject to requirements.

3.3. Prescribed Bodies

Irish Water – No objections subject to requirements.

Transport Infrastructure Ireland (TII) – No objections subject to requirements in respect to the Luas light rail system.

Irish Aviation Authority (IAA) – Recommend engagement with the Department of Defence with regard to the potential impact on flight operations at Casement aerodrome.

Health and Safety Authority – Does not advise against the granting of planning permission.

Department of Defence – Recommends that operation of cranes should be co-ordinated with Air Corps Air Traffic Services.

3.4. **Third Party Observations**

One observation was submitted to the planning authority by Kiaran O'Malley and Co. Ltd. Town Planning Consultants on behalf of;

- Ryan Wall Covering Ltd., Unit 3A Red Cow Business Park, Dublin 22, and
- Ballincolly Property Ltd., 1 Merrion Court, Montenotte, Cork (owner of Unit 3B Red Cow Business Park, Dublin 22)

This has been forwarded to the Board and is on file for its information. The issues raised are comparable to those raised in the third-party appeal summarised in section 6 below.

4.0 **Planning History**

Red Cow Hotel Extensions

P.A. Reg. Ref. SD17A/0470: Permission **granted** 23/02/2018 for modifications to existing hotel extension previously permitted under Reg. Ref's SD15A/0386 and SD15A/0138 to include the provision of **2 additional storeys** above the existing 7 storey hotel wing comprising 44 hotel bedrooms and all associated site works. The above revisions result in a net increase in gross floor area of hotel accommodation by c.1,780sq.m. This permission has been implemented on site.

P.A. Reg. Ref. SD16A/0047 ABP Ref. No. PL06S.246545: Permission **granted** 05/09/2016 for modifications to permission, Reg. Ref. SD15A/0138 in addition to concurrent application SD15A/0386, comprising of the following: (1) extension to existing hotel restaurant and provision of a new entrance and lobby at ground floor level, total additional floor area c.188sq.m; (2) change of use of permitted hotel gym to meeting rooms (c.67sq.m) and of 2 permitted hotel bedrooms to hotel gym (c.59sq.m); (3) all additional associated site development, service provision, landscaping and associated works in addition to those permitted under SD15A/0138.

Condition of relevance includes;

Condition No. 2

'The development shall be amended as follows:

- (a) *The proposed entrance to the hotel from the eastern side shall not be provided. The door shown at this location shall be for emergency exit purposes only and shall not be provided with panic bolts.*
- (b) *An electronically controlled barrier to prevent unauthorised vehicular access from the hotel premises to the Red Cow Business Park immediately to the west shall be erected at the entrance from the hotel premises to the business park, and this entrance shall be used for emergency and delivery purposes only.*

Details of the above shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: *In the interest of pedestrian safety and traffic convenience.'*

P.A. Reg. Ref. SD15A/0386: Permission **granted** 19/02/2016 for provision of **2 additional storeys** above the permitted 5 storey extension and containing 52 additional hotel bedrooms; revisions to existing/permitted car park to now provide 412 spaces and associated landscape works; all associated site works as permitted under Reg. Ref. SD15A/0138. The above revisions result in a net increase in gross floor area of c.2,376 sq.m.

P.A. Reg. Ref. SD15A/0138¹ ABP PL06S.245321: Permission **granted** 17/07/2015 by the planning authority for construction of new hotel wing comprising **5 storeys** and containing 104 bedrooms, meeting rooms and lounge area, etc.

First party appeal to the Board against development contribution condition no. 10 upheld. The Board amended the development contribution, in light of the fact that it had not been correctly applied by the planning authority.

Of relevance to the current appeal, this permission included the closure of a secondary entrance at Red Cow Business Park access road and restricts access at the Red Cow Business Park to emergency and delivery access only, as identified on approved site plan Henry J Lyons Architects Drg. No. P003A dated May 2015.

Landscape masterplan Drg. No. 15360-1-101 does not show the boundary treatment at the car park along the access road at the Red Cow Business Park.

¹ Note Correct Ref. No. is 0138 and not 0318 as in public notices.

P.A. Reg. Ref. SD18A/0061 ABP-301588-18: Permission **granted** (November 2018) for modifications to SD17A/0211 to include reconfiguration and change of use to gym and offices with 2 additional floors comprising offices at Coby Autos premises and lands within and adjoining the Red Cow Complex, Naas Road, Dublin 22.

First party appeal to the Board against development contribution condition no. 23 upheld. The Board amended the development contribution, in light of the fact that it had not been correctly applied by the planning authority. Third party appeal withdrawn.

P.A. Reg. Ref. SD17A/0211: Permission **granted** (December 2017) for the demolition of the existing 2 storey commercial building (comprising 3 units) and a portion of the adjoining Red Cow Inn (total c. 1,765sq.m) and construction of a **4 storey with mezzanine** over basement mixed use building with a total gross floor area including basement (c. 5,324sq.m).

This permission included improvements to the existing pedestrian footbridge over the Naas Road (R110) and provision of a new stairs (and lift structure for future fit out) to connect to the bridge.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The **South Dublin County Development Plan 2016-2022** is the relevant policy document pertaining to the subject site.
- 5.1.2. **Variation No.3** was adopted by the Elected Members at the May 2019 Council Meeting (effective from May 7th, 2019) and refers to Land Use Zoning Map change (see map attached) with increase of 'REGEN' zoning in the Naas Road area by 178 ha to replace existing 'EE' zoning; amendment to Core Strategy figures; and CS6 SLO1 of the Development Plan.
- 5.1.3. The appeal site is now within an area zoned '**REGEN**' – '*To facilitate enterprise and/or residential led regeneration*'. Hotel development is 'permitted in principle' within this zoning objective.
- 5.1.4. **Chapter 1** refers to the Core Strategy

Policy CS1 Consolidation Areas with the Gateway

Policy CS6 Local Area Plans

CS6 SLO1 as amended states;

'To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road / Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010). That no planning applications for residential use of these lands be approved prior to the passing of a Local Area Plan for these lands.'

5.1.5. **Chapter 4** refers to Economic Development and Tourism

Section 4.3.0 of the Plan deals with Employment Location Categories and it is the overarching policy of the Council, **ET Policy 1** refers, *'to support sustainable enterprise and employment growth in South Dublin County and the Greater Dublin Area, whilst maintaining environmental quality.'*

ET1 Objective 2:

'To promote enterprise and employment development at locations that are proximate to or integrated with transportation and other urban land uses, to promote compact urban development and sustainable transport.'

ET1 Objective 5:

'To support a balanced distribution of economic and tourism opportunities throughout the County by promoting areas of high unemployment and socioeconomic disadvantage as viable locations for enterprise and employment growth in the County.'

ET1 Objective 6:

'To direct people intensive enterprise and employment uses into lands zoned ... Enterprise and Employment, and Regeneration Zones subject to their location within 400 metres of a high capacity public transport node (Luas/Rail), quality bus service and/or within 800 metres walking distance of a Train or Luas station, the latter requiring demonstration of required walking distance or provision of a permeability project, in accordance with the Permeability Best Practice Guide (2013), to achieve same.'

Section 4.5.0 refers to Tourism and Leisure

ET Policy 5 Tourism Infrastructure states ; *'It is the policy of the Council to support the development of a sustainable tourism industry that maximises the recreational and tourism potential of the County, through the implementation of the South Dublin Tourism Strategy 2015.'*

5.1.6. **Chapter 5** refers to Urban Centres and Retailing

Section 5.1.5 of the Plan deals with Building Height in Urban Centres

UC Policy 1 refers, *'to support varied building heights across town, district, village and local centres and regeneration areas in South Dublin County.'*

UC6 Objective 1: *'To encourage varied building heights in town, district, village, local and regeneration areas to support compact urban form, sense of place, urban legibility and visual diversity while maintaining a general restriction on the development of tall buildings adjacent to two-storey housing.'*

UC6 Objective 2: *'To ensure that higher buildings in established areas take account of and respect the surrounding context.'*

UC6 Objective 3: *'To direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centre, Regeneration and Strategic Development Zones, and subject to an approved Local Area Plan or Planning Scheme.'*

5.1.7. **Chapter 6** refers to Transport and Mobility

TM Policy 7 Car Parking refers, *'It is the policy of the Council to take a balanced approach to the provision of car parking with the aim of meeting the needs of businesses and communities whilst promoting a transition towards more sustainable forms of transportation.'*

TM7 Objective 1: *'To carefully consider the number of parking spaces provided to service the needs of new development.'*

5.1.8. **Chapter 11** refers to Implementation

Table 11.17 sets out Masterplan Considerations, key considerations include access and movement, open space and landscape, land use and density, built form and phasing.

Table 11.18 sets out Key Principles for Development within Enterprise and Employment Zones which include access and movement, open space and landscape, built form and corporate identity.

Table 11.23 and 11.24 set out Maximum Parking rates for non-residential and residential development and are divided into two main categories;

Zone 1: General rate applicable throughout the County.

Zone 2 (Non-Residential): Most restrictive rates for applications within town and village centres, within 800 metres of a Train or Luas station and within 400 metres of a high-quality bus service (Including proposed services that have proceeded to construction).

Maximum car parking rates (Non-Residential) for Hotel use in Zone 1 is 1 per bedroom and in Zone 2 is 0.5 per bedroom.

5.1.9. Land use zoning map (see attached) indicates the following;

Long Term Road Proposal: Along Robinhood Road to the south and east of the site.

Recorded Monument: DU017-077 described as earthwork, possible site, is located to the north of the appeal site.

SEVESO Sites: There are two existing industrial sites located to the north east and the south east of the subject site, designated as a Lower Tier SEVESO Site.

5.1.10. **Naas Road Development Framework Plan 2010**

The Framework Plan which is a non-statutory plan contains masterplan/urban design principles that guide development within and outside the plan area. The subject site is identified in the Framework Plan within the 'Red Cow East' Character Area as a mixed-use industry led area (see attached).

5.1.11. **South Dublin County Council Development Contribution Scheme 2016-2020**

5.2. **National Guidelines**

National Planning Framework (2018)

Urban Development and Building Height – Guidelines for Planning Authorities (2018)

Regional Planning Guidelines for the Greater Dublin Area 2010-2022

5.3. **Natural Heritage Designations**

Not relevant given the brownfield nature of the subject site.

5.4. **EIA Screening**

- 5.4.1. Having regard to the nature the proposed development, the nature of the receiving environment, and proximity to the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- 6.1.1. The third-party appeal against the decision of the planning authority was lodged by Kiaran O'Malley and Co. Ltd. Planning Consultants on behalf of;

- Ryan Wall Covering Ltd., Unit 3A Red Cow Business Park, Dublin 22, and
- Ballincolly Property Ltd., 1 Merrion Court, Montenotte, Cork (owner of Unit 3B Red Cow Business Park, Dublin 22).

- 6.1.2. The grounds of the appeal can be summarised as follows;

- No objection in principle to the expansion of the hotel enterprise.
- Primary concern relates to the unauthorised access at the permitted emergency/delivery access at the hotel through the Red Cow Business Park, hotel generated parking in the business park and the lack of a proper boundary fence separating the properties.
- Note deficiencies in the application in terms of providing an accommodation schedule or breakdown of each element already permitted.
- Contend that the assessment by the planning authority is superficial and does not address issues identified in the third-party submission in relation to the impact of the hotel operations on the Red Cow Business Park.
- Invite the Board to refuse permission, but in the event of a grant of permission request that suitably worded conditions address the following items.

Access Control

- Access at the hotel through the Red Cow Business Park shall be restricted to access for deliveries and emergency purposes only at the existing vehicular access adjacent to the ESB sub-station at the rear of the hotel. In the event that it is proposed to maintain a pedestrian access between the properties, it shall also be electronically controlled to prevent unfettered access.
- Request a planning condition that the secondary access shall be permanently closed as per permission Reg.Ref.No.SD15A/0138.

Access Gate

- The barrier gate installed at the access to the hotel at the Red Cow Business Park does not fulfil its intended purpose as required at Condition No.2(b) of Permission Reg.Ref.No.SD16A/0047 ABP Ref.No.PL.06S.246545. It is a barrier type gate which is ineffective in terms of ensuring pedestrian and traffic convenience.
- The hotel operators erected a car park type single arm barrier, and not a sliding gate as per the compliance proposal.
- The applicant should be required to erect a 2m high electronically controlled sliding gate at the entrance to the hotel at the Red Cow Business Park. If the Board deems it necessary, a planning condition could be attached requiring the removal of the barrier gate and the replacement by a 2m high sliding gate.

Boundary Fence

- No details of the boundary fence between the hotel and the Red Cow Business Park are provided, even though the public notices refer to 'landscaping' and boundary treatment'.
- Existing boundary fence at the surface car park consists of a low post and rail timber fence, which is not fit for purpose and provides no security at this boundary to the business park.
- Request the reinstatement of the original palisade fence at this boundary to prevent unauthorised access at the Red Cow Business Park.

6.1.3. The appeal was accompanied by a Traffic Report prepared by Trafficwise Traffic and Transportation Solutions. The main issues raised can be summarised as follows;

Traffic Impact Assessment Report

- Fails to provide an objective appraisal of the existing site layout and traffic characteristics and fails to forecast the likely impacts and appropriate mitigation measures.
- Fails to include matters such as site servicing, emergency access, pedestrian access and pedestrian circulation. It also relies on previous permissions and questions the adequacy of the data presented in the report and scope of previous TIA's carried out.
- Does not address the committed transport proposals in the area namely on the adjoining Coby Autos site where permission for a six-storey office development has been permitted under P.A.Reg.Ref.SD18A/0061.
- Specifically, elements such as person trip generation, modal split, trip distribution, road impact, cumulative impacts, road safety, internal layout, pedestrians, universal access and mitigation measures are not adequately addressed.
- Provides very little information and no meaningful assessment of the existing infrastructure serving the development and promotes the development on the grounds of proximity to the LUAS and public transport.
- P.A. Reg.Ref. SD06/0927 provided the outline of a Mobility Management Plan proposed by the applicant be prepared, yet there is no evidence in the application to suggest that the modal split of visitors and staff is even known.
- References traffic assessments carried out in 2006 which pre-dates the construction of the free flow grade-separated M50 junction 9, and therefore provided no assessment or analysis on the likely future operation of this junction. The assumption that the new M50 junction upgrade would result in 'near flow conditions' has not materialised, as the junctions on the Longmile Road and Turnpike Road are signalised and there is significant queuing during evening peak periods.
- Asserts that all traffic reports prepared since 2015 seek not to rely upon any technical data in the 2006 report but simply to rely upon the grant of permission for that application under P.A.Reg.Ref.SD06/0927. The impact of traffic arising from the development site has not been subject to any meaningful assessment in any of the applications submitted since the construction of the M50 Junction 9 upgrade.

Public Transport and Parking

- The TIA report relies upon proximity to public transport services without providing and evaluation of the capacity of such public transport to serve the development. It

also relies upon this to justify extremely low levels of parking at the adjoining site for a six-storey office development.

Pedestrian Accessibility, Site layout and Circulation

- Absence of objective assessment of site accessibility for pedestrians arriving by public transport modes which remains significantly substandard and gives rise to endangerment of public safety by reason of serious traffic hazard.
- Proposal relies on a previous permission under P.A. Reg.Ref. SD18A/0061 which provides a link to the pedestrian over-bridge on the Longmile Road, but the current application does not include that proposal.

Parking

- The assessment of existing parking at the Red Cow Complex does not provide a clear rationale for the proposed level of car parking. Data provided in the TIA is not objective and the rationale for the days selected for the limited analysis is not explained further than to say there were the 'busiest' days.
- Queries the busiest time for the car park, and the basis for calculation of average car park occupancy which is stated as 57%. Asserts that there is insufficient capacity to accommodate the proposed development in combination with the future parking demand of the permitted six storey office development permitted under P.A. SD18A/0061, which will result in overspill parking on neighbouring roads and developments.

Servicing and Delivery

- The TIA Report provides no detail on the proposed servicing and delivery arrangements, which are currently located to the rear of the hotel between the hotel and the main access road to/from Turnpike Road.
- The current arrangement is unfit for purpose, has limited capacity and is unsafe because of a substandard layout that requires reversing manoeuvres. It is also used as a drop-off and pick-up point for coaches and there appears to be no dedicated coach parking or pick up location.
- Refers to previous Board Inspectors report under P.A. Reg.Ref. SD16A/0047 ABP Ref. PL.09.246545 which recommended a refusal on the basis of a traffic hazard and traffic congestion, and current proposal does not address these issues.

- The unauthorised use of the business park access road as a coach parking and pick-up area gives rise to endangerment of public safety.

Access from Red Cow Business Park

- Access Control – The Red Cow Complex is permitted access through the Red Cow Business Park for deliveries and emergency vehicles only.
- The applicant had previously offered to erect an electronically controlled gate at the entrance to the hotel from the Red Cow Business Park. This was in response to an appeal by the third party to a previous decision to grant permission under P.A. Reg. Ref. SD16A/0047 where they had requested a permanent fence be erected. Instead the Board attached a condition no. 2 requiring a barrier at the access to the hotel from the business park and confirmed that the access was to be used for emergency and delivery only.
- Request that a condition be attached to provide a secure 2m high sliding gate at the access from the business park.

Safety of Access

- Notes limited visibility and poor sightlines to the west or left as vehicles enter the grounds of the hotel from the business park. Also notes that the planning authority has not sought to address rectify or mitigate fundamental matters of endangerment of public safety servicing, emergency access, coach facilities and the welfare of pedestrians.

Secure Site Boundary

- Notes Henry J Lyons Architects Drg. No. P003A dated May 2015 which accompanied P.A. Reg.Ref. SD15A/0138 which shows that the applicant proposed to close the then existing access between the current hotel car park and the Red Cow Business Park.
- In the subsequent application P.A. Reg.Ref. SD15A/0386 the applicant attempts to resile from the requirement to carry out the permitted works to close the access. Notes Henry J Lyons Architects Drg. No. P003 dated November 2015 which provides a note which reads '*Existing entrance to be remained*'. The appellants contend that a removable section of knee-high barrier which affords access between the hotel and the Red Cow Business Park is therefore unauthorised.

6.2. Applicant Response

A response to the third-party appeal was lodged by McGill Planning Consultants on behalf of the applicant Guestford Limited. It can be summarised as follows;

- Note that to date the planning authority, TII and An Bord Pleanála support the principle of development on the site which with alterations to the site, consolidation of the car parking, and the traffic management have consistently delivered improvements to the area.
- Contends that since the introduction of controlled parking (in December 2016) there is ample parking to serve the Red Cow Complex.
- Prior to the introduction of controlled parking the Red Cow Complex was being used as a long stay car park by commuters using the nearby LUAS and holiday makers using Dublin Airport, local employees attending the adjacent industrial estates and business land uses.
- The Traffic Report which supported the 128-bedroom extension included dates when car parking demand was at its greatest which was submitted to the planning authority and was accepted.
- Traffic surveys undertaken did not record customer traffic coming to the hotel via the business park road. The business park entrance to Robinhood Road is also controlled by gates which are locked outside of office hours.
- Notes Development Plan parking requirements for hotels in Zone 2 which equates to 218 spaces for 435 bed rooms. The site includes 415 paid parking spaces and is less than 800m and 8mins minutes walking and 5min cycle to the Red Cow Luas line stop. The site is also served by Dublin Bus and it is proposed as part of the Coby site development to construct a new structure incorporating lift and stairs connecting the Red Cow site with the existing pedestrian overbridge over the Naas Road.

Other Positive Aspects of the Development

- Consistent with the zoning and other objectives of the current South Dublin County Development Plan 2016-2022 as well as relevant national and regional policies and guidelines.

- A strategic location given its proximity to transport options such as road, bus and light rail (Luas red line) to and from the city centre, making it the ideal location for hotel accommodation.
- The Red Cow Hotel is a significant employer in a highly sustainable location. It will also meet an existing and identified need for more tourist and hotel space within the Dublin Area. As such it meets both vital needs to ensure a thriving economy.
- The design, layout and appearance is appropriate and acceptable to the area.

Access Control and Access Gate

- There are several access and egress locations from the Red Cow Complex. The location of the proposed access point that the appellant is referring to is not within the red line ownership map of Guestford Limited. The applicant has a right of way through the business park and owns 44% of the land within the business park.
- The Naas Road and Turnpike Road entrances are to remain the customer access points with minimal impact to the other business park users. The electronically controlled gate will ensure that unintentional access/egress by customer traffic is restricted and will normally be shut.
- Recent construction work on site has resulted in the short-term facilitation of additional construction vehicles, and site compound contained within the car park. During these construction works the barrier has been required to remain open to facilitate delivery of same, this is short term till the construction work is complete.
- In accordance with the grant of permission SD15A/0138, the existing secondary entrance between the hotel car park and the business park has been closed. This is a fixed low-level gate, that can be opened in times of emergencies.
- Propose a complaints management system to address operational issues.

Boundary Fence

- There are no requirements/conditions contained within the lease for any of the tenants to provide fencing around their plot, and respectively suggest that a security fence could be erected by the appellant.

- There is also planting behind the existing boundary fence, and when matured will be far more attractive than a palisade fence and enhance the public realm in this area.

Traffic Wise Report

- There is a dedicated coach parking area in the permitted scheme which will be in place when development is completed. The car parking has been consolidated and improved as a result of the recent planning applications. There are suitable, dedicated delivery routes and yards to accommodate hotel deliveries. Guests will be discouraged from going to the back-door hotel area where deliveries are received.
- Access and egress junctions for both cars and pedestrians, have been designed in compliance with the best practice and meets the requirements of the TII, NTA, and South Dublin County Council.
- Visitors are arriving to the hotel in a variety of different ways including public transport (buses, the Luas, and coaches) as well as by car and car sharing, and therefore more sustainable methods of transport are being used to visit the Red Cow Complex.

6.3. Planning Authority Response

The planning authority confirms its decision and refers to the planners report and supporting Roads Department report.

It is noted that some of the issues raised in the appeal are enforcement matters from previous planning applications. In relation to the boundary fence, the planning authority acknowledge the concerns raised in the appeal and suggests to the Board the attachment of a planning conditions to clarify the nature of the boundary treatment in the event of a grant of permission.

6.4. Observations

Having regard to the proposed development being located alongside the M50 Red Cow Interchange, and the Red Luas line the Board referred the proposed development to Transport Infrastructure Ireland (TII).

The TII Report received 22/03/2019 recommends the inclusion of conditions as previously outlined in their report to the planning authority.

6.5. Further Responses

None.

7.0 Assessment

7.1. The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. Appropriate Assessment also needs to be considered. The issues are addressed under the following headings.

- Principle of Development
- Access, Traffic Impact, Safety and Parking
- Boundary Treatment and Security
- Other Matters
- Appropriate Assessment

I draw the Boards attention to the lengthy planning history on the subject site and adjacent site within the ownership of the applicant. While my assessment refers to previous decisions the current application will be assessed on its own merits.

7.2. Principle of Development

7.2.1. The South Dublin County Development Plan 2016-2022 is the current statutory development plan for the area. The settlement strategy (section 1.7) identifies the Naas Road (including the Red Cow Complex) as a Consolidation Area within the Gateway. Within such areas it is the policy of the Council to promote the consolidation and sustainable intensification of development and to promote and support regeneration of underutilised industrial areas in areas designated with Zoning Objective Regeneration 'Regen'.

7.2.2. I draw the Boards attention to Variation No.3 of the South Dublin County Council Development Plan which came into effect on 7th May 2019, following the decision to grant permission by the planning authority on 14th February 2019.

7.2.3. The subject site had been zoned 'EE' 'Enterprise and Employment' and is now zoned 'REGEN', 'to facilitate enterprise and/or residential led regeneration'. Under 'REGEN' zoning Hotel use is 'permitted in principle'.

7.2.4. The appeal site was identified within the 'Red Cow East' Character Area as a mixed-use industry led area in the non-statutory Naas Road Development Framework Plan

2010. Under the current development plan there is a specific local objective CS6 SLO1 to prepare a Local Area Plan for the wider Ballymount area.

7.2.5. CS6 SLO1 has also been amended in the recent Variation no. 3 to the County Development Plan. While it seeks to ensure the sustainable regeneration of the brownfield lands in the Naas Road / Ballymount REGEN zoned lands, it is now intended to prepare a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) zoned lands.

7.2.6. There is an existing and established hotel use on the subject site. The applicant was granted planning permission under a number of recent permissions for a significant expansion of hotel accommodation, and intensification of the hotel use on site. The principle of extensions to the hotel use has therefore, already been established on the site.

7.2.7. The current proposal is for modifications to these permissions and includes a new 5 storey hotel wing with an additional two floors to the original hotel building. This will provide for an additional 128 hotel bedrooms including 12 no. two bedroom apart hotel/apartment rooms resulting in a total of 435 no. bedrooms and a total floor area of 7,106sq.m.

7.2.8. The appellants have raised concern in relation to the absence of a schedule of accommodation submitted with the application and have undertaken a comparison of the recently permitted and proposed developments, a summary of which is set out below in Table No. 1.

P.A.Reg.Ref.	Proposed Development	Floor Area	Bed Rooms	Total Parking
Red Cow Hotel c. 2015			128	
SD15A/0138 ABP Ref. PL.06S.245321	New 5 storey hotel wing	5,340sqm	+104 = 232	420
SD15A/0386	2 additional storeys to permitted 5 storey extension	2,376sqm	+52 = 284	412
SD16A/0047 ABP Ref.	Modifications to SD15A/0386 &	-	=282	-

PL.06S.246545	SD15A/0138			
SD17A/0470	Modifications to SD15A/0386 & SD15A/0138 with 2 additional storeys above existing 7 storey hotel wing	1,780sqm	+44 =326	-
SD18A/0436	Modifications to SD17A/0470, SD16A/0047, SD15A/0386, & SD15A/0138	7,106sqm	+128 =435	415
Total			435	415

7.2.9. The principle of tall buildings in this location has already been established through the granting of permission for the 9-storey hotel wing extension under P.A.Reg.Ref.SD17A/0470, which has now been implemented on site.

7.2.10. I also note Policy ET1 Objective 6 of the South Dublin County Development Plan 2016-2022, which seeks to direct people intensive enterprise and employment uses into lands zoned 'REGEN' subject to their location within 400 metres of a high capacity public transport node (Luas/Rail), quality bus service and/or within 800 metres walking distance of a Train or Luas station, the latter requiring demonstration of required walking distance or provision of a permeability project.

7.2.11. The subject site is located approx. 430m from the Red Cow Luas stop and park and ride facility and is currently accessible for pedestrians and cyclists via an overbridge across the Naas Road (R110) and M50/N7 interchange.

7.2.12. I note the recent permission on the adjoining Coby Autos site under P.A. Reg. Ref. SD18A/0061 ABP Ref. 301588-18 which is within the applicant's ownership. It provides for improved access to the pedestrian overbridge across the Naas Road, and link to the Red Cow Luas stop, but does not form part of the current proposal.

7.2.13. I am however satisfied that the current proposal will benefit from this link which will enhance pedestrian permeability and improve access to the Red Cow Luas stop, and bus routes.

- 7.2.14. I am satisfied that the subject site is ideally located for the proposed development, given its proximity to the Red Cow M50/N7 interchange and Red Cow Luas stop. I concur with the applicant that this brownfield site is underutilised, and in my opinion the proposed extension and modifications to the permitted development as proposed would not result in overdevelopment of the site and is appropriate.
- 7.2.15. I am satisfied in the context of the established nature of the existing hotel use, the already permitted developments, and the location of the site close to the M50/N7 interchange, general accessibility and proximity to existing public transport most notably the Red Luas line, that the proposed development is in accordance with the 'REGEN' zoning objective in the South Dublin County Council Development Plan 2016-2022 (CDP), specifically, to Policy ET1 Objective 6 of the CDP, and as such can be considered for assessment without an approved masterplan or local area plan.
- 7.2.16. I am satisfied, therefore, that the proposed hotel development is acceptable in principle, is fully supported by development plan policies and objectives and complies with development plan standards.

7.3. Access

- 7.3.1. The crux of the third-party appeal in my opinion, is the impact of the existing and proposed hotel operations, on the operation of the adjoining commercial development within the Red Cow Business Park. The business park is located directly to the south east of the appeal site, with which it shares an entrance. I would note from the outset, that the applicant has a right of way through the business park and owns 44% of the land within the business park. The appeal is lodged by the owners of two of the units within the business park.
- 7.3.2. The primary concern of the appellants relates to the unauthorised use of the access through the Red Cow Business Park to the Red Cow Hotel Complex, (which is permitted as an emergency/delivery access only to the hotel), and the use of the Business Park for hotel generated parking.
- 7.3.3. In the interests of clarity, I draw the Boards attention to the fact that there are a number of vehicular and pedestrian entrances to the Red Cow Hotel Complex and associated surface car parks with links to the adjoining area.
- 7.3.4. The primary vehicular and pedestrian entrance to the hotel is from the Naas Road to the north, which also provides links to public and private transport options most notably the Red Cow Luas light rail stop with park and ride and Dublin Bus routes.

Two other vehicular and pedestrian entrances to the Red Cow Hotel, are from Turnpike Road to the south, which is used for deliveries, and from Robinhood Road to the east.

- 7.3.5. Vehicular and pedestrian access to the appellants properties within the Red Cow Business Park is from a separate gated entrance to the east via Robinhood Road. The northern boundary of the business park adjoins the surface car park to the rear and east of the Red Cow Hotel. While the western boundary adjoins the vehicular entrance route to the rear of the hotel from Turnpike Road.
- 7.3.6. The third party has requested that a planning condition be attached such that the secondary access shall be permanently closed as per condition no. 2 (a) under Reg.Ref.No.SD15A/0138 ABP Ref. PL06S.245321. In this regard I would however, also note that condition 2 (a) states that *'the proposed entrance to the hotel from the eastern side shall not be provided. The door shown at this location shall be for emergency exit purposes only and shall not be provided with panic bolts'*. I would suggest therefore, that the wording of this condition is unclear and slightly contradictory, and that details of this arrangement on Henry J Lyons Architects DRG. No. P003A indicates that the existing entrance will be closed off. Nonetheless my reading of the condition does not infer that the secondary access should be permanently closed.
- 7.3.7. Frank Fox and Associates Drawing No.L/01 Overall Roads Plan submitted with the current application indicates an 'existing entrance to be retained' along the northern boundary of the business park, with an emergency and delivery access along the western boundary of the business park.
- 7.3.8. From my site inspections the northern boundary of the business park with the surface car park as constructed, comprises a 2m high mesh fence with knee high barrier which includes a padlock, but which was unlocked. The applicant has confirmed that this entrance has been closed but can be opened in times of emergencies. I consider that this arrangement is acceptable and can be dealt with by way of a suitably worked condition.
- 7.3.9. The third party have requested that access to the hotel through the Red Cow Business Park be restricted to access for deliveries and emergency purposes only as per condition no. 2 (b) of Reg.Ref.No.SD15A/0138 ABP Ref. PL06S.245321. It is also contended that the applicant should be required to erect a 2m high electronically controlled sliding gate and remove the barrier gate.

- 7.3.10. Again, from my site inspection this controlled access arrangement with vehicular entrance gates and control barrier have now been provided. In response to the appeal the applicant has indicated that they would be willing to provide an electronically controlled gate at the entrance from Red Cow Business Park with restricted access to emergency and deliveries only. I am satisfied therefore that this can be dealt with by a suitably worded condition which will provide clarity.
- 7.3.11. I would also note the location of a pedestrian link between both premises which is located next to the control barrier. I do not consider that the provision of an electronically controlled pedestrian gate as proposed by the third party to be desirable. I am satisfied that the pedestrian link between both premises allows for pedestrian and cycle permeability between both commercial premises. This universal access should be welcomed given the proximity to public transport services.
- 7.3.12. For clarity therefore, I am satisfied that issues raised in respect to access control can be addressed by way of conditions to any grant of permission.

7.4. Traffic Impact, Safety and Parking

- 7.4.1. The third-party raises concern with respect to traffic impact, safety and parking associated with the hotel operations and the overall Red Cow Hotel Complex including the permitted office development on the Coby Autos site, are set out in some detail in the accompanying Traffic Report. The report includes an assessment of the contents of the Traffic Impact Assessment (TIA) submitted and questions the adequacy of same particularly with respect to traffic impact, safety concerns relating, to coach parking, deliveries and pedestrian safety, and insufficient parking as summarised in section 6.1 above.
- 7.4.2. In my opinion concerns in relation to traffic impact, adequacy of the TIA and traffic safety are again overstated by the by the appellants. The current proposal is for an extension to an existing established use on the site, which as already noted benefits from a number of access points.
- 7.4.3. I have reviewed the TIA prepared by Trafficwise Traffic and Transportation Solutions and while many of the points raised in the appeal are noted, the overriding fact remains that this site is uniquely located and is extremely well served by public and private transport options. The appellant asserts that these factors are promoted in

the TIA in the absence of actual data to support the proposed development which relies on existing parking provision.

- 7.4.4. The appeal site which is primarily accessed from the Naas Road, which is defined by two lanes of traffic, bus corridors and cycle lanes, on either side. The Red Luas line runs along the central median. A footbridge over the Naas Road is accessed via pedestrian and cycle ramps on either side of the Naas Road, with an additional ramp in the central median, which provides pedestrian and cycle access across the M50/N7 interchange to the Red Cow Luas stop and associated park and ride facility which is accessible by car from both sides of the N7. The Red Cow Luas stop also provides a drop off/collection point for coaches and a taxi rank.
- 7.4.5. I note that the TRICS database has been used to estimate, car trips associated with the proposed hotel extension and would concur with the Transportation section of the planning authority that the estimated two-way trips associated with the hotel expansion is minimal and that it will not adversely affect the surrounding network.
- 7.4.6. On the initial date of my site visit around midday in July, I noted that the Turnpike Road was heavily trafficked, however the future sustainable development of this hotel enterprise relies fundamentally on a modal shift to alternative transport options which are already in place.
- 7.4.7. On my second site visit early morning in August, I noted a steady flow of pedestrians and cyclists accessing and exiting the appeal site from the Naas Road, the overbridge over the Naas Road, and overbridge over the M50 interchange linking to the Red Cow Luas station and park and ride facility. I am reasonably confident that with improved access to the pedestrian overbridge across the Naas Road public transport options will become even more attractive to hotel customers and employees in the general area.
- 7.4.8. With regard to pedestrian safety, I note that coach parking and deliveries which occur to the rear of the hotel are within the overall hotel grounds and not adjacent to a public road. I also note the provision of footpaths and that pedestrian crossing points are clearly marked. I also note the provision of a number of traffic ramps and that speed restrictions of 10kmph apply.
- 7.4.9. The third party also query the daily car parking occupancy rate of 57% cited in the TIA and contend that the inadequate provision of car parking will result in overflow parking in the surrounding areas.

- 7.4.10. The County Development Plan sets the maximum parking rate for hotels in Zone 2 as 0.5 spaces per bedroom which for the current proposed increase in hotel bed spaces of 128 equates to 64 no. spaces.
- 7.4.11. For clarity there are two pay controlled surface car parks, within the Red Cow Hotel Complex. One is located to the side and front of the main entrance to the hotel, with the second located to the rear of the rear entrance to the hotel and adjoins the northern boundary of the Red Cow Business Park. Parking within the Red Cow Business Park is provided primarily to the rear of the units with additional parking to the side and front. On both dates when I inspected the appeal site and adjoining business park there was capacity within each car park.
- 7.4.12. The TIA submitted and parking provision for the proposed development is acceptable to the TII, and Transport Section of the planning authority. The location and nature of the proposed development is also supported by development plan policy which seeks to limit parking and encourage more sustainable modes of transport as set out under Policy TM Policy 7 and TM7 Objective 1 of the County Development Plan. I am satisfied given the nature of the hotel use that the car parking provided is sufficient.
- 7.4.13. I am satisfied that a suitably worded condition in relation to a mobility management strategy will address the concerns of the appellants.
- 7.4.14. I am satisfied therefore that the propose development is acceptable, will not give rise to a significant increase in traffic, or result in a traffic hazard, with sufficient car parking and complies with Development Plan policies and requirements.

7.5. Boundary Treatment and Security

- 7.5.1. The third party has raised concern in terms of the lack of a proper boundary fence separating the two properties which is referred to as comprising a low post and rail timber fence, and therefore provides no security at this boundary to the business park. They have requested that the original boundary which comprised a palisade fence be reinstated. They also note the lack of detail submitted with the planning application regarding planting.
- 7.5.2. Reference is also made to the inspector's report on ABP Ref. PL.06S.246545 where issues raised by the appellant in relation to boundary treatment were addressed in the assessment. Specifically, it was suggested that a permanent fence was required between the estate road and the hotel site to define the boundary between the hotel and the business park in the interest of proper planning and orderly development.

7.5.3. From my site inspection I can confirm that the boundary is defined by a 2m high metal fence and has been planted. I concur with the applicant that when matured it will be more attractive than a palisade fence and will enhance the public realm in this area.

7.5.4. I am satisfied therefore that a condition providing clarity on the nature of the boundary treatment should be included in the grant of permission.

7.6. **Other Matters**

7.7. *Signage* – The planning authority raised concern in relation to the proposed signage located above parapet level. I concur with these concerns and agree that the proposed signage should be omitted. This can be dealt with by way of a suitably worded condition.

7.8. **Appropriate Assessment**

Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, 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 project on a European site.

8.0 **Recommendation**

I recommend that planning permission should be granted subject to conditions for the reasons and considerations as set out below

9.0 **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.

10.0 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 permission Reg. Ref. SD17A/0470, SD16A/0047, SD15A/0386 and SD15A/0138 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. The development shall be amended as follows:
 - (a) The proposed entrance to the hotel surface car park from the eastern side, along the northern boundary of the Red Cow Business Park shall be for emergency exit purposes only.
 - (b) An electronically controlled sliding gate to prevent unauthorised vehicular access from the hotel premises to the Red Cow Business Park along the western boundary of the Red Cow Business Park shall be erected at the entrance from the hotel premises to the business park, and this entrance shall be used for emergency and delivery purposes only.
 - (c) The pedestrian access from the hotel premises to the Red Cow Business Park immediately to the west shall be retained from the hotel premises to the business park and shall not be closed off.

Details of the above shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this decision.

Reason: In the interest 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. Details of all external signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

8. The proposed art signage at parapet on the front (west) elevation shall be omitted.

Reason: In the interests of visual amenity.

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 visual amenities of the area.

10. The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking arrangements, including facilities for the recharging of electric vehicles.

Reason: In the interests of traffic, cyclist and pedestrian safety and to protect residential amenity.

11. 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.

12. 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.

13. 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 interests of public safety.

14. 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.

Susan McHugh
Planning Inspector

23rd August 2019