



An
Bord
Pleanála

Inspector's Report

ABP-306822-20

Development	Modifications to permissions DCC Reg. Ref 3622/19, 2661/18 and 2209/16 / ABP PL29S.26976 to the existing Hotel
Location	Hilton Dublin Hotel, Charlemont Place, Dublin 2
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	4804/19
Applicant(s)	Charlemont Leisure Investments Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Piaras Dioluin
Observer(s)	TII
Date of Site Inspection	24 th June 2020
Inspector	Colin McBride

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 0.57 hectares, fronts onto the Grand Canal approximately 1.5km from the city centre. The site is located adjacent to Charlemont Street bridge over the canal and in close proximity to the LUAS alignment. The appeal site forms part of a larger complex of buildings comprising the existing Hilton Hotel which fronts the Grand Canal at this location. The site also includes an area of hard surfaced open space located to the north of the hotel building. The site is bounded to the north east and the east by the existing LUAS alignment (green line) and the level of this line rises from the north east corner of the site along the eastern boundary to the crossing of the canal at the south east corner of the site. The site is adjoined to the south by Charlemont Place and beyond that the Grand Canal. To the west, the site adjoins commercial offices called Charlemont Exchange and to the north and north west the site adjoins existing residential development called the Harcourt Green Apartments.

2.0 Proposed Development

2.1 Permission is sought for modifications to permission ref no.s 3622/19, 2661/18 and 2209/16/PL29S.246976 concerning an existing hotel. The modifications include...

Relocation of goods lift, introduction of goods lobby and replacement of permitted stairs with a ramp at basement level.

Reconfiguration of ground floor to include the reorganisation of WCs, furniture store and removal of roof light in lobby area on ground floor;

Redesign of link of proposed new extension block to include redesign at ground floor level and the omission of the pedestrian link on the 2nd, 3rd, 4th and 5th floors and associated changes;

Relocation of the lift core resulting in the overall reduction of 1 no. hotel bedroom on the first floor and 1 no. hotel bedroom on the sixth floor and relocation of lift over-run at roof level.

No changes are being proposed to the permitted heights of the hotel building.

The modifications will result in a decrease in the total number of existing and permitted hotel rooms from 297 to 295 with associated minor north, east, west and

south elevations and at roof level. The remainder of the development is to be carried out in accordance with permission ref no.s 3622/19, 2661/18 and 2209/16/PL29S.246976.

3.0 Planning Authority Decision

3.1 Decision

Permission granted subject to 9 conditions. The conditions are standard in nature.

3.2 Planning Authority Reports

3.2.1 Planning Reports

Planning report (19/02/20): The amendments to the permitted development were not consider to be significant in terms of physical impact with no change to the scale and height of buildings permitted. The proposal was considered to be in accordance with the proper planning and sustainable development of the area. A grant of permission was recommended based on the conditions outlined above.

3.2.2 Other Technical Reports

Drainage Division (10/02/20): No objection.

3.3 Prescribed Bodies

Transport Infrastructure Ireland (03/02/20): Conditions required to ensure no adverse impact on Luas infrastructure.

3.4 Third Party Observations

3.4.1 Submission by Piaras Dioluin, 169 Harcourt Green, Charlemont Street, Dublin 2, D02 PD34.

- Issues raised included overlooking, impact of construction in terms of access, hours of construction, compliance with previous permissions and traffic management.

4.0 Planning History

4.1 3622/19: Permission granted for modifications to permission DCC Reg. Ref.: 2661/18 and to the existing hotel as follows; • Omission of permitted glazed atrium extension at ground floor level to retain the existing configuration; • Omission of permitted sixth floor in the central block containing 18 no. bedrooms, retaining the permitted link to the permitted rear block; • Replacement of permitted 1 no. bedroom, executive lounge and associated service rooms with 13 no. bedrooms on the front block (southern) at sixth floor level; • Reconfiguration and relocation of the existing/permitted plant from the front block to the middle block at sixth floor level. The modifications will result in a decrease in the total number of existing and permitted hotel bedrooms from 303 to 297 with associated minor alterations to the north, east, west, and south elevations and at roof level. The remainder of development to be carried out in accordance with permission DCC Reg. Refs.: 2661/18 and 2209/16 / ABP PL29S.246976.

4.2 2661/18: Permission granted for modifications to permission DCC Reg. Ref. 2209/16/ ABP PL29S.246976 and to the existing hotel to include the following: * Redesign / reduction in size of the permitted 7 storey hotel extension and set-back of the northern and western elevations; * Redesign of the permitted ground floor 3 no. function rooms to provide 6 no. meeting rooms with ancillary areas and alterations to permitted breakout/atrium area; * Reconfiguration/relocation of the permitted and existing ancillary hotel area including bar, stores, lobbies, circulation areas, lifts/stairs and toilets at ground floor level; * Reinstatement of an existing pre-function/meeting room from previously permitted circulation area at ground floor level; * Omission of an existing meeting room to provide redesigned coffee dock/seating area and alterations/extension of the permitted external courtyard at ground floor level; * Reconfiguration/relocation/reduction of the existing/permitted plant area and

relocation of lifts/ stairs throughout; * Reconfiguration of the permitted basement to provide a total of 77 no. car parking spaces and 48 no. bicycle parking spaces; * All associated elevational changes including alterations to windows and doors. * The removal of permitted balconies on the northern/southern elevations of the permitted hotel wing and provision of an east facing balcony serving a proposed amalgamated bedroom suite setback at 6th floor level. * Associated changes at roof level; * All associated site development works, internal modifications, services provision, alterations to the northern courtyard and associated landscaping works; * The above modifications result in a reduction in the overall number of existing and permitted hotel bedrooms from 305 to 303. The revised total gross floor area of the new and retained hotel will be c.16,183sq.m; * The remainder of development to be carried out in accordance with permission DCC Reg. Ref. 2209/16 / ABP PL29S.246976.

- 4.3 ABP PL29S.246976 (2209/16): Permission granted for Construction of seven- storey hotel extension, additional extension of 7th storey to existing hotel and reconfiguration and alterations to existing hotel.

5.0 Policy Context

5.1 Development Plan

The relevant Development Plan is the Dublin City Development Plan 2016-2022. The appeal site is zoned Z4 with a stated objective 'to provide for and improve mixed services facilities'.

5.2 Natural Heritage Designations

None in the vicinity.

6.0 The Appeal

6.1 Grounds of Appeal

6.1.1 A third party appeal has been lodged by Piaras Dioluin, 169 Harcourt Green, Charlemont Street, Dublin 2, D02 PD34. The grounds of appeal are as follows...

- In granting permission the Council fails to consider the rights and concerns of residents in Harcourt Green and in particular Block 6.
- The modifications will lead to further loss of amenity to the residents of Block 6 due to its proximity to the development.
- The Council have permitted inappropriate hours for construction works including demolition particular permitting such works on a Saturday and such would be detrimental to residential amenity.
- The appellant notes that demolition works have commenced on site and there has been disregard for conditions and requirements of the permissions granted on site to the detriment of residential amenity.
- There has been a failure to provide a traffic management plan regarding heavy goods vehicles and the impact of such traffic has been exacerbated by construction on an adjacent site.
- Hoarding has been erected blocking access to fire hydrants as well as light to existing apartments.

6.2 Applicant Response

6.2.1 Response by McGill Planning on behalf of the applicant, Charlemont Leisure Investments.

- The proposal is for modifications of a permitted development and such are minor in nature and do not impact on the bulk, scale and massing of the permitted development on site. It is noted that modification in relation to the omission of the permitted pedestrian link would improve privacy for existing residents in Harcourt Green.

- It is noted that the proposal will result in a decrease in bedroom numbers over that permitted.
- In relation to construction hours it is noted that the development is within the city centre and there has been a significant level of construction within the area in recent times and that the condition in relation to construction hours is a standard and common place condition.
- The applicant has submitted traffic management plans as part of the compliance documents with the previous permissions on site.
- The issue of hoardings is not a planning matter.

6.3 Planning Authority Response

6.3.1 No response.

6.4 Observations

6.4.1 Observation from Transport Infrastructure Ireland:

- Conditions required in the event of a grant of permission to protect existing Luas Infrastructure.

7.0 Assessment

7.1 Having inspected the site and associated documents, the main issues can be assessed under the following headings.

Proposed development/physical impact

Other issues

Appropriate Assessment

7.2 Proposed development/physical impact:

7.2.1 The proposal entails modifications to previously permitted development under ref no.s 3622/19, 2661/18 and PL29S.246976 (2209/16). The nature of the modifications are quite minor with main changes being a new lift core within the

footprint of the permitted development, modification to the internal layout at ground and first floor level and sixth floor level. The proposal entails no changes to the overall bulk, scale, height and massing of the permitted development on site. I would note that the proposal entails a reduction in the physical scale of the permitted development with the previously permitted glazed link between second and sixth floor level omitted. The proposal also entails a reduction the number of bedrooms permitted from 297 to 295.

7.2.2 I would consider that the proposed modifications are satisfactory and would have no significant or perceptible impact in terms of the visual amenities of the area or on the amenities of adjoining properties and that there is no impact over and above that of the development permitted under ref no.s 3622/19, 2661/18 and PL29S.246976(2209/16).

7.3 Other Issues:

7.3.1 The third party appeal raises a number of issues concerning construction impact including construction hours, traffic management and hoardings. I would note that there are several permission permitted on site under ref no.s 3622/19, 2661/18 and PL29S.246976 (2209/16) and work has commenced on site on foot of these permission. The current proposal is for modification of these permissions and the impact of such is outlined above.

7.3.2 In regards to previous conditions applied in relation to construction hours, such have been applied and the current proposal is for modification of the permitted scheme. This is not a relevant consideration in assessing the current proposal. Notwithstanding such I would note that construction hours imposed on the permitted development are standard in nature. I would note that the compliance with such condition falls under remit of the Planning Authority.

7.3.3 In relation to the requirement to subject traffic management plans as per conditions under the permitted developments. The onus is on applicant to comply with such

conditions and it is Planning Authority's responsibility to enforce such conditions. Compliance with such is not a relevant consideration under this appeal. I would note the same in relation the issue of hoardings which are controlled by a licensing procedure that is also a function of the Local Authority.

7.4 Appropriate Assessment:

7.4.1 Having regard to the nature and scale of the proposal, no appropriate assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

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

9.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development, which is modification to a development permitted under ref no.s 3622/19, 2661/18 and PL29S.246976 (2209/16), it is considered that, subject to the compliance with the conditions set out below, the proposed development would be in accordance Development Plan policy, would not detract from the visual amenities of the area and would be acceptable in the context of the amenities of adjoining properties. 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 interests of clarity.

2. The development shall be carried out and completed in accordance with the conditions set down under ref no.s 3622/19, 2661/18 and PL29S.246976 (2209/16), except as may otherwise be required in order to comply with the following conditions.

Reason: In the interests of clarity.

3. The development shall comply with Transport Infrastructure Irelands' "Code of engineering practice for works on, near, or adjacent the Luas light rail system".

Reason: In the interests of orderly development.

Colin McBride
Planning Inspector

24th June 2020