



An
Bord
Pleanála

Inspector's Report ABP-317732-23

Development	Change of use of approved office space to hostel.
Location	58-59, Meath Street and part of 27 Carman's Hall, Dublin 8
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3770/23
Applicant(s)	Stoneybatter Residential Limited
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	Stoneybatter Residential Limited
Observer(s)	None
Date of Site Inspection	22 nd March 2024
Inspector	Frank O'Donnell

1.0 Site Location and Description

- 1.1. The subject appeal site is located at 58 to 59, Meath Street and part of no. 27 Carman's Hall, Dublin 8. The site relates to a vacant office/ commercial unit on the ground floor of a 6-storey apartment block. The appeal site has a stated site area of 249 sqm and extends to part of the ground floor of the adjoining mixed residential/ commercial 4 storey building at 27 Carman's Hall.

2.0 Proposed Development

- 2.1. The proposed development seeks permission for
- Change of Use of the approved (currently vacant) office unit to provide for a hostel use.
 - Alterations to the fenestration along Carman's Hall Elevation (Southern Elevation).
- 2.2. The subject Ground Floor has a stated floor area of 249 sqm. The submitted proposed floor plan drawing, 23018-PL-2-01, indicates there are a total of 34 beds (6 WC's and 5 Showers). It is proposed to provide a Café/ Reception room of 46.4 sqm adjacent to the main entrance to the building from Meath Street. There are 5 no. bedrooms proposed which range in size from 22 sqm to 27.5 sqm. The balance of the floor area is shown to comprise staff changing facilities/ lockers, a bicycle parking/ storage area/ washing area, a bin storage and cleaning area and circulation space.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to REFUSE planning permission on 10/07/2023 for the following reasons:

1. *Having regard to the policies, objectives and guidance of the Dublin City Development Plan 2022-2028, it is considered that the proposed development would contribute to an overconcentration of tourist and visitor*

accommodation in the Liberties area, and be detrimental to (i) the wider objective of providing a rich and vibrant range of uses in the city centre including residential, social, cultural and economic functions, (ii) the need to prevent an unacceptable intensification of activity, and (iii) the need to avoid an overconcentration of tourist and visitor accommodation development in certain areas of the city centre. The proposed development would therefore be contrary to Policy CEE28 of the Dublin City Development Plan 2022 – 2028, and would, due to the undermining of the delivery of a vibrant mix of uses, be contrary also to the ‘Z4’ zoning objective and if permitted would be contrary to the proper planning and sustainable development of the area.

2. *The proposed hostel development does not provide adequate storage facilities, common area, kitchen facilities, light and adequately ventilated facilities and therefore does not provide an adequate standard of accommodation for Hostel occupants. The proposed development is, therefore, contrary to Policy CCE 28: ‘Visitor Accommodation’ of the Dublin City Development Plan 2022-2028, would set an undesirable precedent for other hostel development, and would be contrary to the proper planning and development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The **Planning Officer’s Report** considers that having regard to the availability of tourist accommodation proximate to the site, the proposal could result in an overconcentration of tourist accommodation in the area and that of the wider Liberties area which would serve to undermine the objectives of the Development Plan which aim to create a rich and vibrant range of uses.
- The proposed fenestration is raised as a concern as it would serve to remove active frontage and surveillance at this location. The proposed use is not considered to be suitable to this location.
- The proposals would not meet the standards set out in the Regulations for Registration and Renewal of Registration for Holiday Hostels 2007 particularly

regarding the absence of a self-catering kitchen, a dining area or staff accommodation/ common rooms.

- It appears the accommodation would be accessed via the café and it is therefore unclear as to whether said café is proposed for commercial use or ancillary use. The requirements of the Hotel Standards are not satisfied, indicative seating shows places for 10 people which is not sufficient to serve the proposed 34 no. bed spaces.
- The proposal would lead to an increase in visitor accommodation which is considered to be against the interests of a rich and vibrant range of uses in the city centre, including residential, social, cultural and economic functions.

3.2.2. Other Technical Reports

- **Transportation Division:** No objection subject to 3 no. conditions.
- **Drainage Division:** No objection subject to 1 no. condition.
- **Environmental Health:** No objection subject to 1 no. condition.

4.0 Planning History

4.1. Planning History

On the subject Appeal site (Ground Floor)

- **4901/22:** Change of use of the approved office unit to provide for a language school. GRANTED on 3rd January 2023 (4 no. conditions).
- **3120/22:** Change of use of the approved retail unit to provide for Class 2 financial/professional services and /or Class 3 office use and/or Class 8 healthcare use. GRANTED on 29th June 2022 (3 no. conditions).
- **3934/20:** Permission for a material change of use of the approved retail unit to provide for Class 1 retail use. GRANTED on 01/01/2021 (11 no. conditions).

Above the subject Appeal site (Upper Floors) incl. no. 27 Carman's Hall

- **3060/20:** Amendments to the approved 12no. apartments to provide 13no. apartments in total. GRANTED on 28th October 2020. (6 no. conditions).

- **2351/20:** Amendments to the approved 12 no. apartments to provide 13 no. apartments in total. REFUSED on 29th May 2020 for 1 no. reason relating to impact on Architectural Conservation Area.
- **3102/19:** Amendments to approved 7 no. apartments to provide 12no. apartments. No changes at ground and first floor levels. GRANTED on 8th October 2019 (8 no. conditions).
- **2972/19:** Amendments to include the construction of 3 no. apartment units. GRANTED on 20th August 2019.
- **3986/17 (ABP-300529-17):** Amendments to permitted development (Ref. 4214/16) to include the construction of 1 no. three bedroom unit. GRANTED on 23rd July 2018 (3 no. Conditions).
- **3985/17 (ABP-302295-18):** Construction of 6 storey building for retail and residential use. GRANTED on 26th February 2019 (13 no. conditions).
- **3797/17:** Amendments to permitted development (Ref. 4214/16) to include: Additional floor area of 45sqm to the south/front of cafe/retail unit, and 7 sqm to local office unit; and revised shop fronts/elevational treatments to ground floor level only. GRANTED on 11th December 2017 (11 no. conditions).
- **2217/17:** Modifications to the existing permission (4214/16) including a new 6 storey mixed use building that will amalgamate with the permitted 4 storey development under 4214/16, 1 no. retail / commercial unit at ground level, with 12 no. apartments (9 x 2-bed and 3 x1-bed units) above. REFUSED on 31st March 2017 for 2 no. reasons relating to Scale, Massing, Visual Impact and impact on Architectural Conservation.
- **4214/16:** Demolition of existing two storey multi-dwelling building and construction of a four-storey mixed-use building to contain two retail/cafe/medical consulting/local office unit at ground level with twelve apartments on the upper floors. GRANTED on 20th March 2017 (20 no. conditions).
- **3362/16 (ABP-247548):** Demolish building and erect mixed use building constructing retail/offices and 6 apartments with balconies. GRANTED on 23rd March 2017. (17 no. conditions).

5.0 Policy and Context

5.1. Development Plan

Dublin City Development Plan, 2022 to 2028

- 5.1.1. The Appeal site is zoned Z4 - Key Urban Villages / Urban Villages in the Dublin City Council Development Plan, 2022 to 2028. The relevant zoning objective for Z4 lands is: *'To provide for and improve mixed-services facilities'*. A Hostel (Tourist) is identified as a use which is Permitted in Principle on lands zoned Z4. The site, although zoned Z4, is not a Key Urban Village.
- 5.1.2. The Appeal site is located within Thomas Street & Environs Architectural Conservation Area (ACA). The Appeal site is also located within SDRA 15 – Liberties and Newmarket Square (Strategic Development and Regeneration Area).
- 5.1.3. Chapter 6 relates to City Economy and Enterprise and includes the following Policies and Objectives of relevance to the subject Appeal:

Policies

- **CEE11: Key Urban Villages.**
- **CEE14: Quality of Place.**
- **CEE26:**
 - ***Tourism in Dublin***
 - (i) *To promote and facilitate tourism as one of the key economic pillars of the city's economy and a major generator of employment and to support the appropriate, balanced provision of tourism facilities and visitor attractions.*
 - (ii) *To promote and enhance Dublin as a world class tourist destination for leisure, culture, business and student visitors and to promote Dublin as a setting for conventions and cultural events.*
 - (iii) *To improve the accessibility of tourism infrastructure to recognise the access needs of all visitors to our city.*

- **CEE28:**
 - **Visitor Accommodation**
 - *To consider applications for additional hotel, tourist hostel and aparthotel development having regard to:*
 - *the existing character of the area in which the development is proposed including local amenities and facilities;*
 - *the existing and proposed mix of uses (including existing levels of visitor accommodation i.e., existing and permitted hotel, aparthotel, Bed and Breakfast, short-term letting and student accommodation uses) in the vicinity of any proposed development;*
 - *the existing and proposed type of existing visitor accommodation i.e., Hotel Classification/Rating, Hostel Accommodation, Family Accommodation, Alternative Accommodation etc., in the vicinity of any proposed development;*
 - *the impact of additional visitor accommodation on the wider objective to provide a rich and vibrant range of uses in the city centre including residential, social, cultural and economic functions;*
 - *the need to prevent an unacceptable intensification of activity, particularly in predominantly residential areas;*
 - *the opportunity presented to provide high quality, designed for purpose spaces that can generate activity at street level and accommodate evening and night-time activities – see also Chapter 12, Objective CUO38.*

Objectives

- **CEE01:**
 - ***Study on the Supply and Demand for Hotels, Aparthotels and Hostels:***

To carry out an analysis of the supply and demand for tourism related accommodation including hotels, aparthotels, hostels, Bed and Breakfast Accommodation and other short-term letting in the Dublin City area.

- 5.1.4. Chapter 7 relates to the City Centre, Urban Villages and Retail and includes the following Policies and Objectives of relevance to the subject Appeal:

Policies

- **CCUV20: Mixed Use Key Urban Villages/Urban Villages**
- **CCUV23: Active Uses**
- **CCUV30:**

- **Cafés / Restaurants**

To promote and facilitate the provision of cafés / restaurants in the city and support their role in making the city more attractive for residents, workers, and visitors and in creating employment.

- **CCUV36:**

- **New Development**

To support uses that would result in the diversification of the evening and night-time economy where there is little impact on the amenity of adjoining or adjacent residential uses through noise disturbance and where there are no negative cumulative impacts in terms of other night-time economy uses in the area.

- 5.1.5. Chapter 11 relates to Built Heritage and Archaeology and includes the following Policies and Objectives of relevance to the subject Appeal:

Policies

- **BHA7: Architectural Conservation Areas**

- 5.1.6. Chapter 12 relates to Culture and includes the following Objective which is of relevance to the subject Appeal:

Objective:

- **CUO38: Noise Impacts**

All applications for short or longer term residential proposals (including hotels) that seek permission adjacent to established late night uses such as nightclubs/music venues/public houses/comedy clubs, shall be required to demonstrate in their application, how, firstly through the use of good design and layout; and secondly, through increased sound insulation; they have ensured their development will not cause negative impacts on the adjoining uses in the future.

**See also Policy CCUV36*

5.1.7. Chapter 13 relates to Strategic Development Regeneration Areas and includes the following Objectives, considered to be of relevance to the subject Appeal:

Objective

- **SDRAO1: (Overarching Principles and Vision)**

5.1.8. Section 13.7 relates to SDRA 15 – Liberties and Newmarket Square.

5.1.9. Chapter 14 of the Plan relates to Land Use Zoning.

5.1.10. Chapter 15 relates to Development Standards. Relevant Sections include the following:

- Section 15.4: Key Design Principles
 - *Section 15.4.1: Healthy Placemaking, Section 15.4.2: Architectural Design Quality, Section 15.4.3: Sustainability and Climate Action, Section 15.4.4: Inclusivity & Accessibility, Section 15.4.5: Safe and Secure Design*
- Section 15.5: Site Characteristics and Design Parameters
 - *Section 15.5.3: Alterations, Extensions and Retrofitting of Existing Non – Domestic Buildings, Section 15.5.7: Materials and Finishes*
- Section 15.13: Other Residential Typologies
 - Section 15.13.9 Hostels / Sheltered Accommodation / Family Hubs
- Section 15.14: Commercial Development/ Miscellaneous
 - Section 15.14.1 **Hotels and Aparthotels.**

5.2. Natural Heritage Designations

5.2.1. The site is not located within or adjacent to a Natura 2000 site.

5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area and outside of any protected site or heritage designation, the nature of the receiving environment, the existing pattern of development in the vicinity, and the separation distance from 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

The Grounds of Appeal can be summarised as follows:

- Response to Item No. 1:
 - Zoning - Permissible Uses
 - Site is zoned Z4: *'Key Urban Villages/ Urban Villages'* in the Dublin City Council Development Plan, 2022 to 2028. The Permissible uses of Z4 include guest house, hostel, hotel etc.; therefore, the proposed development is in compliance with the Development Plan requirements.
 - Overconcentration of tourist and visitor accommodation
 - The Local Authority consideration of overconcentration of tourist and visitor accommodation in any particular area isn't based on any metric of what is allowable and is, therefore, a subjective opinion.
 - The Development Plan 2022 to 2028 doesn't state what is considered an acceptable quantum of tourist and visitor accommodation allowable

per particular area, therefore, there is no basis on which it can claim that this particular area has an over-concentration.

- The Applicant contends that this part of the City forms part of the dense urban fabric of the City Centre and, therefore, requires additional tourist and visitor accommodation.
- There is a chronic undersupply of tourist and visitor accommodation in Ireland, in general, and in Dublin, in particular. This has been further exacerbated as a result of the on-going war in Ukraine, much existing accommodation being removed from the market to accommodate displaced persons.
- Granting permission for this development would assist in alleviating the accommodation crisis and, as a city centre location, it's a prime location for such development. The Applicant quotes a statement from an Failte dated 29/03/2023 delivered to the Joint Oireachtas Committee on Tourism, Culture, Arts, Sport and Media which refers to the lack of availability of tourist beds, particularly in Dublin. The Applicant considers that the proposed development will be of immense value to the city's sustainability and for this reason they request the Board overturn DCC's decision to refuse permission on this ground.
- Precedent
 - The Applicant refers to a precedent case where they state that the Board disagreed with the Local Authority position that the Liberties area contains an overconcentration of tourist and visitor accommodation and has previously overturned the decision of the Local Authority to refuse permission, see planning reg. ref. no. 2021/21 (Appeal Ref. No. ABP-309875-21).
 - This decision, the Applicant argues, indicates that the Board disagrees with DCC's assessment of the quantity of hotels, aparthotels and tourist accommodation being excessive at this location and the potential impact of the proposed development on the character of the surrounding environs.

- The Applicant requests the Board remains consistent with its previous assessment of this issue and overturns the decision of the Local Authority to refuse permission.
- Response to Item No. 2:
 - In Response to reason for refusal no. 2, the Applicant states they have amended the proposed floor plan to show a clear subdivision between the kitchen area, common space, dining area and staff areas. The Applicant states that they have provided the required storage areas and that, therefore, the proposed design is now in compliance with Policy CEE28 of the Plan. Reference is made to Drawing no. 23018-PL(AP)-2.01.
 - The Applicant states that
 - The number of wash and dry areas have also been increased to support the number of users under Policy CEE28 of the Plan.
 - An increased number of lockers has also been provided in the dormitories, the common space, as well as a separate locker area dedicated only to staff.
 - Floor areas of the spaces provided have been calculated based according to Bord Failte requirements for hostel accommodation.
 - The design of the proposed fenestration has also been amended to provide required natural daylight, ventilation and privacy and is now compliant with Dublin City Council and Building Regulations requirements, see Drawing no. 23018-PL(AP)-3.01, as attached to the Appeal.
- Existing Unit:
 - The Applicant wishes to note to the Board that the existing unit at 58-59, Meath Street and part of Carman's Hall has been unoccupied for the last four years and hasn't offered any amenity to the surrounding vicinity. By granting permission for this change of use application this unit would revitalise the area and greatly improve the amenity of both the immediate area and the broader City in general.

6.2. Applicant Response

- N/a

6.3. Planning Authority Response

- Response dated 8th August 2023. The Response states *'the observations of the Dublin Planning Officer on the grounds of appeal have been sought and these will be forwarded to you as quickly as possible.'*

6.4. Observations

- None.

6.5. Further Responses

- None.

7.0 Assessment

7.1. Introduction

- 7.1.1. Having examined the application details and all other documentation on file, including all the submissions received in relation to the appeal, and having inspected the site, and having regard to relevant local/ regional/ national policies and guidance, in my opinion, the substantive issues in this appeal are as follows:

- Zoning
- Design and Layout/ Standard of Accommodation
- Policy CEE28 – Visitor Accommodation
- Stated Precedent
- Other issues
 - Appropriate Assessment

7.2. Zoning/ Permissible Uses

- 7.2.1. The Appeal site is zoned Z4 – Key Urban villages/ Urban villages, the zoning objective for which is *‘to provide for and improve mixed-services facilities’*. Permissible uses on lands zoned Z4 include bed and breakfast, café/tearoom, delicatessen, guesthouse, hostel (tourist), hotel, residential, restaurant.
- 7.2.2. As noted, a hostel (tourist) is a use which is permitted in principle on lands zoned Z4, subject to assessment against normal planning considerations. These matters are discussed in turn below.

7.3. Design and Layout/ Standard of Accommodation

- 7.3.1. I note the assessment of the Local Authority in respect of the proposed fenestration arrangement along Carman’s Hall. I would agree with this assessment in that the proposed fenestration arrangement will serve to result in the loss of a permitted active frontage together with a resultant loss of natural surveillance. The proposed fenestration arrangement is therefore, in my view, not appropriate in this instance.
- 7.3.2. While the issue of compliance with regulations under a separate legal code need not concern the Board for the purposes of this appeal, I have nonetheless reviewed the proposed floor plan layout, as presented to the Local Authority, having regard to the Regulations for Registration and Renewal of Registration for Holiday Hostels, 2007. The following issues arise:
- The Dining Area forms part of the Café/ Reception Area. There is no clear distinct Dining Area shown. The Café/ Reception Area appears to serve as a Common Room.
 - There is no communal Self-Catering Kitchen shown.
 - There is no Serviced Kitchen shown.
 - The reception area is not clearly distinguished from the café/ counter area and, in my view, is not laid out or equipped in such a manner for the proper receipt and control of arriving and departing guests.
- 7.3.3. I am satisfied that the proposed internal layout does not suitably adhere to the recommendations set out in the above Regulations. I agree with the opinion of the Local Authority that the proposals do not provide an adequate standard of

accommodation for Hostel occupants. I do not consider that the proposal provides high quality, designed for purpose spaces consistent with Policy CEE28 'Visitor Accommodation' of the Dublin City Development Plan, 2022 to 2028.

7.4. Policy CEE28 – Visitor Accommodation

- 7.4.1. The Local Authority considers the proposal would result in an overconcentration of tourist accommodation in the vicinity of Meath Street & Carmans Hall and the wider Liberties area.
- 7.4.2. The Appellant considers the opinion of the Local Authority is subjective as it is not based on any metric and that the Development Plan does not state what is considered to be an acceptable quantum of tourist and visitor accommodation.
- 7.4.3. The Local Authority Assessment identifies a total of 11 no. facilities (existing and planned) within a 1 km radius of the appeal site. These comprise 6 no. Hotels, 3 no. Student Accommodation Facilities which are available for Tourist Accommodation outside the academic year, 1 no. Aparthotel and 1 no. Hostel. It is noted that the vast majority (10. No.) of these identified facilities are within 500 metres of the appeal site and that of these, 9 no. are existing and 1 no. is planned. The 1 no. Hostel identified is located within 70 metres, to the north-east of the appeal site.
- 7.4.4. I note under a separate appeal, ref. no. ABP-309875-21, for an Aparthotel on Francis Street, that a considerable number of additional facilities are identified in the Inspectors Report. With relevance to the subject Appeal, a further 2 no. Hotels are located within 1 km of the Appeal site and a further 5 no. Hotels are planned, i.e., have extant planning permissions, as follows:
- Radison Blue, Golden Lane, located c. 625 metres to the west of the appeal site.
 - Jurys Inn, Christchurch, located c. 517 metres to the north-east of the appeal site.
 - Planned Hotel at Molyneux Yard, Engine Alley, located c. 98 metres to the north of the appeal site, as planning reg. ref. no. 4017/20 (ABP-309781-21) refers.
 - Planned Hotel at Vicar Street, located c. 150 metres to the north of the appeal site, as planning reg. ref. no. 3972/18 (ABP-303646-19) refers.

- Planned Hotel at 63/64 Thomas Street, located 220 metres to the north of the appeal site, as planning reg. ref. no. 4776/19 refers.
- Planned Hotel at Oliver Bond Street/ Augustine Street, located 360 metres to the north-east of the appeal site, as planning reg. ref. no. 2295/20 refers.
- Planned Hotel at The Brewery Yard, 5/9 Newport Street, located 573 metres to the west of the appeal site, as planning reg. ref. no. 2571/20 (ABP-308285-20) refers.

7.4.5. I further note an additional existing Student Accommodation Facility within 115 metres to the north-east of the appeal site, see Heyday Carmen's Hall.

7.4.6. Having regard to the initial assessment of the Local Authority and to the additional facilities identified above, there are 10 no. existing and 5 no. planned facilities located within 500 metres of the appeal site.

7.4.7. I would agree with the Applicant that the Development Plan does not state what is an acceptable quantum of tourist and visitor accommodation. Although it is an objective of the Plan to carry out a Study on the Supply and Demand for Hotels, Aparthotels and Hostels, see Objective CEE01, there is no indication that this has taken place to date. Policy CEE28 does however emphasise the need to prevent and unacceptable intensification of activity, particularly in predominantly residential areas.

7.4.8. Guidance is also provided in Section 15.14.1 (Hotels and Aparthotels), where the assessment of such proposals *'will be considered on a case-by-case basis having regard to the location of the site and existing hotel provision in the area'*. With specific regard to Section 15.14.11 of the Plan, the onus is upon the Applicant, in all instances, where the Planning Authority deems there to be an overconcentration of such facilities in an area, to submit a report indicating all existing and proposed Hotel and Aparthotel developments within a 1km catchment.

7.4.9. Although it is accepted that the subject proposal is for a Hostel, it is noted that the Applicant has not provided any form of an in-depth assessment, either as part of the application or the appeal, which serves to support the overall planning case or dispute the findings of the Local Authority regarding the issue of an overconcentration of such facilities in the area.

7.4.10. Therefore, having regard to the findings and conclusion of the Local Authority and to the additional existing and pending facilities identified above, particularly those within a reduced catchment of 500 metres from the subject appeal site, I am satisfied there is a high concentration of existing and planned tourist and visitor accommodation in the vicinity of the appeal site.

7.4.11. Having regard to the poor-quality design and layout of the proposed development, the restricted size of the appeal site, the extent of existing and planned tourist and visitor accommodation in the vicinity of the appeal site, the location of the site at the southern end of Meath Street where the predominant use is residential and to the character of the area, I am not satisfied that the proposed development satisfies the wider objective to provide a rich and vibrant range of uses in the city including residential, social, cultural and economic functions. In my view, the proposed development contravenes Policy CEE28 and the Z4 zoning objective of the lands which is *'To provide for and improve mixed-services facilities'*.

7.5. Stated Precedent

7.5.1. The Applicant refers to a previous planning application and appeal, ref. no. 2021/21 (ABP-309871-21) for an Aparthotel located at Francis Street. The correct Appeal reference is ABP-309875-21. I have reviewed the decision of the Local Authority to Refuse Planning Permission, the An Bord Pleanála Inspectors Assessment and recommendation to Refuse permission and the subsequent decision of the Board to Grant permission. In particular, I note the nature of the said proposed development as an Aparthotel and the Matters Considered by the Board and the Reasons and Considerations set out in the Board Decision.

7.5.2. I further note the 2 no. reasons for refusal, as per the decision of the Local Authority, and, in particular, reason for refusal no. 1 which is not solely based on the issue of an overconcentration of hotel developments. The said refusal reason is also based on the prevention of delivery of residential development, the undermining of the vision for the City Development Plan for the provision of a dynamic mix of uses within the City centre and a failure to sustain the vitality of the City Centre. Development Plan Sections 5.5.8 (Demolition and Reuse of Housing) and 14.8.4 (Land Use Zoning Objective Z4: To provide for and improve mixed service facilities) of the development plan are also referenced.

- 7.5.3. The An Bord Pleanála Inspector and indeed the Appellants emphasise the distinction between an Aparthotel and a Hotel in that the former is fully serviced apartment accommodation independent of hotel room or suite accommodation.
- 7.5.4. The Inspectors Assessment does not appraise the issue of an Overconcentration of Hotel Developments and the Boards Reasons and Considerations, as set out in the Order, similarly do not refer to this issue.
- 7.5.5. Having regard to the assessment of the proposed development, the reasons and considerations of the Board, the location, setting and nature of the referenced case for an Aparthotel and the location, setting and nature of the subject proposal as a Hostel, I do not accept that the referenced case is directly comparable to the subject proposal in terms of its format, scale or context. In this regard, I do not accept that this referenced case serves as a relevant precedent.
- 7.5.6. Notwithstanding, all appeal cases should be assessed and determined on their own merits having regard to the nature and setting of the site and its surroundings, the sensitivity of the receiving environment and the specifics of the proposed development.
- 7.6. Other issues
- *Appropriate Assessment*
- 7.6.1. Having regard to the nature and scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

8.0 Recommendation

8.1. Recommendation

- 8.1.1. I recommend that permission be refused for the reasons and considerations as set out below.

9.0 Reasons and Considerations

1. Having regard to the nature and location of the site and adjacent development and the design and quality of the proposed tourist hostel, it is considered that the proposed development would not provide for a high quality, designed for purpose tourist hostel development, would be contrary to Policy CEE28 'Visitor Accommodation' of the Dublin City Council Development Plan 2022 - 2028, and would have a significant detrimental impact on the amenity and privacy of residential development in the vicinity. The proposal would also, due to the undermining of the delivery of a vibrant mix of uses, be contrary to the 'Z4' zoning objective and, if permitted, would be contrary to the proper planning and sustainable development of the area.

Frank O'Donnell
Planning Inspector

05th April 2024

Appendix 1 - Form 1
EIA Pre-Screening
[EIAR not submitted]

An Bord Pleanála Case Reference	317732-23		
Proposed Development Summary	Change of use of approved office space to hostel.		
Development Address	58-59, Meath Street and part of 27 Carman's Hall, Dublin 8		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	No further action required.
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		N/A	EIA Mandatory EIAR required
No	√	Class 10(b)(iv)/ min. an area greater than 10 ha	Proceed to Q.3

3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?

		Threshold	Comment (if relevant)	Conclusion
No	√	N/A		No EIAR or Preliminary Examination required
Yes		N/A		Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	√	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ Date: _____