



An
Bord
Pleanála

Inspector's Report

ABP-318298-23

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| Development | Protected structure: Change of use to hotel and provision of additional storey together with associated site works. |
| Location | 59, 60 and 61 Dame Street and 1 & 2 Eustace Street, Dublin 2 (also known as "Shamrock Chambers") |
| Planning Authority | Dublin City Council South |
| Planning Authority Reg. Ref. | 4249/23 |
| Applicant(s) | Chambers Properties Limited. |
| Type of Application | Permission. |
| Planning Authority Decision | Refuse. |
| Type of Appeal | First Party |
| Appellant(s) | Chambers Properties Limited. |
| Observer(s) | Philip O'Reilly Declan O'Brien |
| Date of Site Inspection | 7 th June 2024. |

Inspector

Terence McLellan

1.0 Site Location and Description

- 1.1. The appeal site refers to the five storey building known as Shamrock Chambers, incorporating the buildings and plots located at Nos. 59, 60, and 61 Dame Street, as well as Nos. 1 and 2 Eustace Street, on a site measuring 396sqm. Nos 1-2 Eustace Street is registered on the Record of Protected Structures (Ref. 2691) and is also listed on the NIAH (Ref. 50020089), together with 59-61 Dame Street. The building is vacant save for a small retail unit on the corner of Dame Street and Eustace Street. A larger vacant commercial unit occupies the remainder of the ground/first floor frontage on Dame Street. The principal access to the remainder of the ground floor and all upper levels is from Eustace Street. The building was previously in use as offices, with restaurant/retail use on the ground floor.
- 1.2. The site is bounded to the north and west by adjoining buildings rising to four storeys and five storeys respectively. To the west the site is bounded by Eustace Street and the adjacent buildings that rise to three and four storeys. Dame Street forms the southern boundary of the site, where buildings opposite generally rise to between four and five storeys. All of the adjoining and adjacent buildings comprise commercial on ground floor level and a mix of commercial, residential, or visitor accommodation on upper levels, with commercial appearing to be the predominant land use. The appeal site has access to a wide range of facilities, services, and multiple public transport options, given its location in Temple Bar in the city centre.

2.0 Proposed Development

- 2.1. Planning permission is sought for a change of use from retail/restaurant and offices to a 47 no. bedroom hotel with ancillary bar/restaurant. The proposal includes a roof extension through the provision of an additional setback fifth floor level with a stated area of 260 sq. metres.
- 2.2. The development proposes internal alterations and refurbishment works at all levels in order to facilitate the proposed hotel use. Of particular note is the provision of a new shopfront at ground and first floor level, in addition to works on the Eustace Street entrance in order to provide an accessible entry point. Alterations are proposed at basement, including the lowering of the floor level and the provision of hotel facilities and back room functions. A landscaped courtyard is proposed at first floor level in

addition to a small extension at the northern end of the courtyard. It is noted that the proposal involves the removal of the existing cage lift car, which is mentioned on the Record of Protected Structures, and its reuse as a feature in the hotel bar/restaurant.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Notification of the Decision to Refuse Permission was issued by Dublin City Council on 26th September 2023, stating the following two reasons:

1. The proposed works include excessive fabric removal to the interior and exterior of the Protected Structures and adjacent historic buildings, causing serious injury to their special architectural character, including their original historic floor plans and original building plots, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials. The proposed new roof extension over the Protected Structure and historic buildings is not considered to be sensitively sited nor designed and would adversely impact the setting and the special character of the Protected Structure. Furthermore, the proposal does not adequately demonstrate conservation gain for the amalgamated structures known as the Shamrock Chambers. Therefore, the proposed development would seriously injure the character of the Protected Structures at 1-2 Eustace Street and would be contrary to Policy BHA2 of the Dublin City Council Development Plan 2022-2028, would set an undesirable precedent for similar type development and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed change of use to hotel, with restaurant/bar at ground floor level, could lead to an overconcentration hotel and apart hotels in the local area and a lack of variety of uses in the vicinity. As such the proposal is contrary to policy SC3 and objective CUO18 of the 2022-2028 Dublin City Development Plan which seeks to promote a mixed-use land policy in the city centre including the provision of high quality, sustainable residential development and maintain the mixed use cultural role of Temple Bar. The proposed development would, therefore, be

contrary to policy SC3, and Objective CUO18 of the 2022 Dublin City Development Plan, would set an undesirable precedent for similar development and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. The Planner's Report contains the following points of note:

- The previous permission on the site is noted. However, this has lapsed, and a new development plan has come into effect.
- There were numerous applications for hotel development towards the end of the last development plan, whilst welcomed, it is important to avoid the overconcentration of hotel development in areas of the city.
- A key objective for the city centre is to encourage high quality, sustainable residential development in accordance with the principles of the 15 minute city in order to enliven the city, create vitality, contribute to the evening economy of the city, and to counterbalance the loss of any physical employment space.
- There is a strong demand for housing in the Dublin City area. Policy seeks to promote residential in the city centre. The subject site is a prime city centre site and given its location and layout, it could be used for residential development. It was noted from a site visit that a one bedroom apartment was previously provided on the fourth floor.
- There will be a general presumption against an overconcentration of hotels and aparthotels. Where the Planning Authority consider there to be an overconcentration of such facilities in an area, Applicants will be requested to submit a report indicating all existing and proposed hotel and aparthotel developments within a 1km catchment, providing a justification that the development will not undermine the principles of achieving a balanced pattern of development in the area. This report was not submitted with the planning application.
- The Applicant has not adequately demonstrated that there is not an overconcentration of hotel and aparthotels in the vicinity of the site. Given the

current housing crisis, national planning policy, and the clear direction in the current development plan in terms of promoting mixed use development with a focus on residential in the city centre, it is considered that the proposed change of use is not in accordance with development plan policy and does not represent the best use of the upper floors of this vacant city centre site.

- Maintaining the mixed use cultural role of Temple Bar is also critical and there is a presumption against further expansion of floor space for licenced premises, or the sale of food or alcohol for consumption off the premises. The Planning Authority therefore has serious concerns in relation to the proposed restaurant/bar at ground floor level.
- The proposed roof extension, whilst similar to a previous permission, would be highly visible from ground level along Dame Street and Eustace Street, would have a significant visual impact on the receiving environment, and the scale/massing is considered disproportionate to the building below.
- Works to the Protected Structure would involve excessive fabric internally and externally, causing serious injury to their special architectural character, including their original historic floor plans and original building plots, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.
- The proposal does not adequately demonstrate conservation gain for the amalgamated structures known as the Shamrock Chambers.
- The historic cage lift is directly referenced in the Record of Protected Structures and is a feature of architectural and technical interest that is understood to be a rare surviving example within the city of Dublin. It would be preferable for the lift car to remain within its original location.

3.2.2. **Other Technical Reports**

- 3.2.3. **Archaeology Section (18.09.2023):** The proposed development is located within the medieval core of Dublin, an area of high potential for medieval archaeological material. Any groundworks associated with the proposed development, including the proposed lowering of the extant basement and construction/reconfiguration of the proposed lift shafts, have the potential to impact any archaeological material/features which may be present at a sub-surface level within the subject site. Further Information is

requested requiring the Applicant to consult with the City Archaeologist in preparing an Archaeological Assessment.

- 3.2.4. **Conservation Officer (19.09.2023):** The response notes that whilst Nos. 1 & 2 Eustace Street are on the Record of Protected Structures, Nos. 59, 60 & 61 Dame Street are not. Concerns are raised regarding the lack of analysis of the current building fabric and features of the amalgamated structure, limited photographic survey, limited conservation strategy and the limited content of the Architectural Heritage Impact Assessment.
- 3.2.5. For a development of this scale, the CO would require detail reporting on the conservation of historic fabric, an analysis of the fabric issues, make-up and construction date/phasing of any walls for which there is a proposal for demolition, an analysis of the impacts of the interventions required by the structural engineering works, a fire protection and compartmentation strategy and any mitigation in relation to early building fabric, and an analysis of the impacts of required mechanical, electrical services and plumbing.
- 3.2.6. Demolitions will result in the significant loss of early building fabric and the erosion of the legibility of the historic planform of the interior of these buildings. Particularly historic corner chimneybreasts which are often found in 17th and early-to-mid 18th century townhouses in the city. They must be retained.
- 3.2.7. Lack of information on structural underpinning, the lift car should be retained in situ, windows should be refurbished (and a window survey is needed), and the shopfront could be retained and repaired. The removal of the shopfront is not in line with minimum intervention.
- 3.2.8. The CO would advocate for the refurbishment of these early 20th -century timber windows. A full window survey should be carried out to include a schedule of historic and replacement glass in each pane for any proposal that involves Protected Structures.
- 3.2.9. The proposed setback distances of the additional floor at roof level are insufficient. The new floor would be highly visible with a significant effect on the receiving environment. No structural information has been presented and it's not clear how it would be constructed/supported. It is not clear if the historic masonry can carry the additional loading.

3.2.10. **Transportation Planning Division (15.09.2023):** No objections subject to conditions regarding the provision of a Construction Management Plan, Delivery/Service Management Plan, cycle parking, compliance with the Code of Practice, and payment of all costs incurred by the Council.

3.3. **Prescribed Bodies**

3.3.1. No response received.

3.4. **Third Party Observations**

3.4.1. Three observations were submitted in response to the planning application, raising the following summary points:

- There has been significant hotel development in the area.
- Development would result in an overconcentration of hotels, erosion of diversity, and homogenised tourist offering.
- Lack of residential development in the area and some homes lost to the tourist market.
- There was a single apartment in the building, accessed from Eustace Street. This is a rent pressure Zone where housing is urgently needed, and loss of residential units should be prevented.
- Development would result in further proliferation of drinking establishments on Dame Street and would be contrary to policy CUO17 which seeks to maintain Temple Bar as a cultural quarter.
- Extension is top heavy, too tall, and visually obtrusive. A hipped roof profile should be adopted.
- The development would have significant impacts on the Protected Structure and the surrounding area. The development would destroy the unique character and setting of this area of Dublin.
- Construction noise and the impact on the residential amenity of 3 Eustace Street.

- Issues regarding the structural integrity of 3 Eustace Street due to excavation and underpinning works.
- Need to consider fire risk and fire penetration across the common boundary.

4.0 Planning History

- 4.1.1. **Planning Authority Reference 3867/17:** Permission was granted by Dublin City Council in February 2018 for a change of use of the building to provide a 39 no. bedroom hotel with ancillary bar/restaurant. Internal and external alterations included a new shopfront at ground and first floor level on Dame Street and the provision of a new roof extension. This permission has lapsed.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is zoned Z5, the stated objective of which is 'To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design, character, and dignity'. Hotels are a permissible use on Z5 lands, and the zoning objective states that in the interests of promoting a mixed-use city, it may not be appropriate to allow an overconcentration of hotel uses in a particular area. Therefore, where significant city centre sites are being redeveloped, an element of residential, and other uses as appropriate, should be provided to complement the predominant office use in the interests of encouraging sustainable, mixed-use development.
- 5.1.2. Nos. 1 and 2 Eustace Street are included on the Record of Protected Structures (Ref. 2691). The entry on the RPS specifically mentions the stucco pedimented entrance door, flanking windows, and cage lift.
- 5.1.3. 59-61 Dame Street and 1-2 Eustace Street are listed on the NIAH (Ref. 50020089). The entry specifically mentions the cage lift, the shop front on Eustace Street and the first-floor glazing screen in addition to the contribution of the building to the streetscape based on its form and scale.

5.1.4. Chapter 3: Climate Action contains the Council's policies and objectives for addressing the challenges of climate change through mitigation and adaptation.

5.1.5. Chapter 4: Shape and Structure of the City, sets out the Council's strategy to guide the future sustainable development of the city. The objective is to ensure that growth is directed to, and prioritised in, the right locations to enable continued targeted investment in infrastructure and services and the optimal use of public transport.

- SC3: Mixed Use Development promotes a mixed-use land use policy in the city centre, including the provision of high quality, sustainable residential development, and facilitating the conversion of both old office buildings and over shop spaces to residential.

5.1.6. Chapter 5: Quality Housing and Sustainable Neighbourhoods, seeks the provision of quality, adaptable homes in sustainable locations that meet the needs of communities and the changing dynamics of the city. The delivery of quality homes and sustainable communities in the compact city is a key issue for citizens and ensuring that Dublin remains competitive as a place to live and invest in. The relevant policies from this chapter include:

- QHSN7: Upper Floors seeks to resist and where the opportunity arises, to reverse the loss of residential use on upper floors and actively support proposals that retain or bring upper floors into residential use in order to revitalise the social and physical fabric of the city through measures such as the Living City Initiative

5.1.7. Chapter 6: City and Enterprise is of relevance. This chapter recognises that Dublin is an international city and gateway to the European Union for many businesses. The city region contributes significantly to Ireland's economy and is a major economic driver for the country. Policies of specific relevance from this chapter are:

- CEE8: The City Centre - To support the development a vibrant mix of office, retail, tourism related and cultural activities in the city centre and to facilitate the regeneration and development of key potential growth areas such as the Diageo lands, the St. James's Healthcare Campus and Environs and the TU Dublin campus at Grangegorman.
- 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.

5.1.8. Chapter 8: Sustainable Movement and Transport, seeks to promote ease of movement within and around the city and an increased shift towards sustainable modes of travel and an increased focus on public realm and healthy placemaking, while tackling congestion and reducing transport related CO2 emissions.

5.1.9. Chapter 11: Built Heritage and Archaeology, recognises that the city's heritage contributes significantly to the collective memory of its communities and to the richness and diversity of its urban fabric. It is key to the city's character, identity and authenticity and is a vital social, cultural, and economic asset for the development of the city. The Development Plan plays a key role in valuing and safeguarding built heritage and archaeology for future generations. The plan guides decision-making through policies and objectives and the implementation of national legislation to conserve, protect and enhance our built heritage and archaeology. Relevant policies from this chapter include:

- BHA2: Development of Protected Structures - Development of Protected Structures That development will conserve and enhance protected structures and their curtilage and will:
 - a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.
 - b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
 - c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.
 - d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.
 - e) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not

adversely impact the curtilage or the special character of the protected structure.

- f) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.
- g) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.
- h) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.
- i) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.
- j) Have regard to ecological considerations for example, protection of species such as bats.
- BHA9: Conservation Areas - To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

5.1.10. Chapter 15: Development Standards contains the Council's Development Management policies and criteria to be considered in the development management process so that development proposals can be assessed both in terms of how they contribute to the achievement of the core strategy and related policies and objectives. Sections of this chapter that are of specific relevance include:

- 15.14.1: Hotels and Aparthotels - To ensure a balance is achieved between the requirement to provide for adequate levels of visitor accommodation and other uses in the city such as residential, social, cultural and economic uses, there will be a general presumption against an overconcentration of hotels and aparthotels.
- Pending the outcome of an analysis of the supply and demand for tourism related accommodation in the Dublin City area (to be carried out by Dublin City

Council), hotels and aparthotels will be considered on a case by case basis having regard to the location of the site and existing hotel provision in the area.

- In all instances, where the planning authority deems there to be an overconcentration of such facilities in an area, the Applicant will be requested to submit a report indicating all existing and proposed hotel and aparthotel developments within a 1km catchment providing a justification that the development will not undermine the principles of achieving a balanced pattern of development in the area, and demonstrating that the proposed development fully complies with the criteria set out in Policy CEE28 and in Section 15.14.1.1 and 15.14.1.2 below.
- 15.14.1.1: Hotel Development
- 15.17.5: Shopfront and Façade Design

5.2. Section 28 Ministerial Guidelines

5.2.1. Having considered the nature of the proposal, I consider that the directly relevant section 28 Ministerial Guidelines and other national policy documents are:

- Architectural Heritage Protection – Guidelines for Planning Authorities (2011) - This guidance is a material consideration in the determination of applications and sets out comprehensive guidance for development in conservation areas and affecting protected structures. It promotes the principal of minimum intervention (Para.7.7.1) and emphasises that additions and other interventions to protected structures should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term (7.2.2).

5.3. Natural Heritage Designations

5.3.1. The site is an urban brownfield site and is not located within any designated site. The nearest European Sites are as follows:

- South Dublin Bay and River Tolka Estuary SPA (site code 004024), 3.6km to the east.
- South Dublin Bay SAC (site code 00210) 3.6km to the east.

5.4. EIA Screening

- 5.4.1. See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A first party appeal has been submitted by Thornton O'Connor Town Planning, for and on behalf of the Applicant, Chambers Properties Limited, against the decision of Dublin City Council to refuse planning permission for the proposed development. The appeal is accompanied by a note prepared by Historic Building Consultants. A further report titled *The Economic Role of Tourism and Hotels in Dublin and their Location*, prepared by Anthony Foley, has also been submitted. These are incorporated into the summary grounds of appeal set out below.

Reason for Refusal 1

- As per the CDP's Record of Protected Structures, the protected status applies only to the *stucco pedimented entrance door, flanking windows, and cage lift* and does not refer to the buildings as a whole.

Changes to Shopfront

- The existing shopfront is not original and changes to the elevational treatment and shopfront on Dame Street were previously permitted as part of the hotel development under 3867/17. The currently proposed changes are not overly dissimilar to those previously permitted by the Planning Authority.
- The Planning Authority were previously supportive of the changes to the shopfront but now suggest that it could be retained and repaired with its removal being contrary to good practice conservation, however, Shamrock Chambers is not a Protected Structure.

- The proposed shopfront is influenced by late 18th/early 19th century shopfront styles, is more appropriate than the current installation, and is akin to that which would have been historically present at Shamrock Chambers, but with a contemporary emphasis, as evident on the image provided from c.1895.
- There are similar decisions on shopfronts nearby, such as ABP 307704 on Temple Lane where the Board overturned Dublin City Council's decision to refuse permission, which included a reason relating to shopfront design.
- Concerns raised on the Temple Lane development that a traditional shopfront would jar with a contemporary style of the existing structure would not apply to Shamrock Chambers as it is an older, more characterful series of structures and a contemporary approach to the delivery of a traditional shopfront design has been adopted.

Additional Storey

- An additional storey was permitted as part of the earlier hotel permission on this site and the Planning Authority considered that it would not be overly visible and would not negatively detract from the Protected Structures and Conservation Area.
- There is very little difference between the permitted and proposed schemes, particularly along the southern elevation. Both extensions have a vertical emphasis, slightly setback, predominantly glazed and feature a chamfered corner.
- The roof extension would not result in inappropriate overlooking, overbearance, or impacts on privacy, resulting in a diminution of neighbouring amenity.
- The roof extension is a carefully designed and considered addition that sits neatly atop the existing structure, within its footprint, although set slightly back from the Dame Street and Eustace Street façades, ensuring it appears as secondary or subsidiary to the existing older, characterful building.
- Contemporary approaches have been taken on other heritage buildings in the city including The Tropical Fruit Warehouse at Sir John Rogerson's Quay, the Mayson Hotel development on North Wall Quay. These examples demonstrate that additional height can be achieved on heritage buildings as well as the ability

of the subject building to absorb a more substantial and authoritative additional storey.

- The examples given are Protected Structures that pursued attractive, progressive designs to achieve additional height as strong, assertive forms. Shamrock Chambers is not a Protected Structure and should be allowed to accommodate more distinct and robust architectural forms.

Lift Car/Cage

- The current proposal in relation to the lift car/cage is the same as was proposed and permitted under Reg. Ref. 3867/17. There is no reason why the treatment of the lift in this instance should be treated any differently to the way that it was treated in the last planning application, given that there are no changes of circumstances that would warrant such a change.
- The lift car/cage cannot be reasonably retained indefinitely in its current location, nor can it be repurposed for functional use. Doing so stymies the contemporary development potential of the subject property.
- Therefore, its relocation as an attractive feature piece in the restaurant/bar is a practical and pragmatic proposal for it, whilst also making it accessible to the public to be appreciated.
- Forcing the Applicant to retain the lift car/cage in its current position shifts the narrative and level of restriction and protection from conservation to preservation. The latter would result in prohibitively restrictive limitations on development prospects that undermine the potential for successful, efficient and sustainable contemporary repurposing of older buildings.

Changes at Eustace Street

- Changes to one of the protected windows on the Eustace Street elevation are required for Part M compliance, would not have a major impact on the character of the stucco frontage, and would retain the decorative panel. The change would also be reversible in the future.

Removal of Internal Fabric

- The majority of masonry walls would be retained, many of the partitions to be removed are recent additions of limited heritage value and their removal is required to assist in bringing the building into contemporary use.
- The historic planform of the building would remain legible, with a retained three bay presence on Dame Street and two bay on Eustace Street. Internal corridors follow the route of existing corridors and mitigate the need for substantial interventions.
- The chimney breasts, whilst a characterful feature, are not protected and their retention may undermine the delivery of the development due to their size, shape and position. This would also apply to alternative uses and development types.
- Contrary to the Conservation Officers comments, the rear bow window is not being removed.
- As the building is not a Protected Structure, the proposed internal alterations are exempted development. They are proposed as part of the broader works to allow the development to be delivered in a coherent, managed, respectful and purposeful manner.
- Neither a detailed photographic survey nor Construction Conservation Method Statement were submitted on the basis that other than the specifically mentioned building elements, the structures are not deemed to be Protected Structures in the development plan. If required, these items would be submitted and secured by condition.
- The Conservation Officers assessment and reason for refusal refer to the development lacking conservation gain for the amalgamated structures, the Applicant disagrees with this on the basis of the retention of the plan form of the building, limited interventions, improved shopfront on Dame Street, the conserved/protected elements of the structure, relocation of the lift car within the structure, bringing an almost entirely vacant and dated structure back into active use, and inviting the public into the historic and characterful Shamrock Chambers building.

Reason for Refusal 2

- The Case Planner considers that the subject property should be brought into residential use, referencing SC3 in their assessments. This disregards the benefits of a hotel use coming forward at a property that is almost entirely vacant and is not known to have been in residential use. The development would therefore not result in the loss or displacement of residential use.
- The Council have been inconsistent on this matter, approving the loss of residential units and a change of use to a hotel on a site to the west of Shamrock Chambers (4260/23). The loss of residential was not raised as an issue.
- Policy SC3 seeks to 'promote' rather than 'require' residential.
- An Overconcentration Study has been provided, demonstrating that there would not be excessive number s of hotels/aparthotels surrounding the site.
- Assessment of the proposal needs to consider all aspects for the Development Plan rather than just those elements that can be used to oppose hotel development inappropriate locations in lieu of residential. Case law promotes the consideration of the Development Plan in a holistic way, as a whole.

Precedent for Hotel Use at Subject Site

- Permission has been granted on this site for a similar hotel development, with the delay in implementation due to the acquisition of the property by the current owner and the Covid pandemic. The Council have disregarded the previous permission on the basis of its expiry and the adoption of a new development plan. There has been no substantial change in context that warrants the Council taking an alternative stance on the current proposal.
- The proposed use has previously been accepted, the current scheme is therefore not a 'new' proposition and could be considered like an extension of duration of permission.
- The previously permitted hotel on this site has already been factored into the assessment of other hotel developments and, where permitted, it is implied that the Council did not have a concern in relation to overconcentration when the subject site features.

Overconcentration of Hotels and Aparthotels

- There is no guidance from the Council as to what constitutes an overconcentration of hotel/aparthotel/tourist related accommodation and no empirical basis upon which to assesses these applications, which are limited to anecdotal insights and opinions. This is contrary to section 7.15 of the Development Management Guidelines.
- There is inconsistency in how the Council are dealing with the issue, and overconcentration was not raised as a concern on other permitted hotels in the local area.
- The Council failed to follow their own guidance to request submission of a report regarding overconcentration, this could have been requested as Further Information.
- The Overconcentration Study submitted as part of the appeal quantifies the number of hotels/rooms in the surrounding area (in operation and also permitted) but there is no metric or methodology established by the Council to determine what is a high or low concentration.
- There will never be uniformity of use across a city region, especially at its centre where some uses will be found in greater numbers. It is logical that hotels are found in greater numbers in central locations due to density and intensity of development, proximity and number of visitor attractions, access to public transport, and access to services/facilities/activities.
- Information has been provided on hotels per sq/km and hotels per head of population for the 1km radius referred to in the CDP. Although there are more hotels per sq/km at the Shamrock Chambers site, there are less hotel bedrooms per head of population compared to other sites that the Council have recently permitted hotels on, such as Camden Row.
- There is evidently a large and dense population within the core of Dublin City that is able to absorb the greater number of hotels and bedrooms. It is therefore contended that the study demonstrates that there is not an overconcentration of visitor accommodation.

Restaurant/Bar Use

- The Case Planner argues that the ground floor level restaurant/bar use, would be contrary policies including CUO18 ('Temple Bar as a Mixed Use Cultural

Quarter'), which seeks to reinforce the area's cultural role and purpose, to avoid the concentration of "particular activities" (the Development Plan does not clarify the nature and extent of "particular activities") and to establish a "presumption against further expansion of floor space for licenced premises, or the sale of food or alcohol for consumption off the premises".

- Public house and restaurants are permissible in Z5 areas and the "presumption against" position of Policy CUO18 is contradictory and undermines the zoning objective.
- Most of the ground floor and basement level areas already benefit from an existing restaurant use, albeit currently vacant. The development would therefore not result in an increase or proliferation of this use.
- The proposed ground floor restaurant/bar use is included in the development as it complies with Section 15.14.1.1 of the CDP which encourages hotel developments to provide publicly accessible facilities such as café, restaurant and bar uses to generate activity at street level throughout the day and night.
- Hotel Classification Criteria of Fáilte Ireland requires a food and beverage offering for guests and visitors in order to achieve 4/5 star rating.

6.2. Planning Authority Response

6.2.1. The Planning Authority request that the Board uphold the decision to refuse permission and request the following conditions in the event that planning permission is granted:

- Payment of Section 48 and Section 49 development contributions, and the payment of a bond.

6.3. Observations

6.3.1. Observation from Declan O'Brien of Apartment 3, 15 temple Lane South, Dublin 2.

- Wholeheartedly support the Council's reasons for refusal and urge the Board to uphold the decision.
- The application is in breach of many DCC policies and would require a complete overhaul.

- The development would have significant impacts on the Protected Structure and the assessment report was highly critical of the proposal.
- The building has had a residential component, and it would not be acceptable to lose more homes given the housing crisis.
- There is an imbalance of use at the expense of non- tourist related uses in the area.

6.3.2. Observation from Phillip O'Reilly of 68 Gandon Close, Harold's Cross, Dublin 6W.

- 1930's features in any building cannot be dismissed as being of no consequence, they have their own historic characteristics that are of importance.
- The proposal would be destructive to the historic core of Dame Street.
- The approach to historic fixtures and fittings is unacceptable, the lift should be fully restored in its current position.
- There is an overconcentration of hotels.
- The Protected Structure would be seriously impacted by the proposed development as would the historic environment of Dame Street

6.4. Further Responses

6.4.1. None.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues to be considered in this appeal are as follows:

- Design and Heritage
- Land Use
- Other Matters

7.2. Design and Heritage

- 7.2.1. The first reason for refusal considers that the development would result in excessive fabric removal from the interior and exterior of the Protected Structures and the adjacent historic buildings and that this would cause serious injury to their special architectural character, including their original historic floor plans and original building plots, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials. Further concerns are raised that the new roof extension over the Protected Structure and historic buildings is sensitively sited or designed and that this would also adversely impact the setting and the special character of the Protected Structure.
- 7.2.2. The Applicant argues that, as per the CDP's Record of Protected Structures, the protected status applies only to the *stucco pedimented entrance door, flanking windows, and cage lift* of Nos. 1-2 Eustance Street, and does not refer to the amalgamated buildings, which are not Protected Structures. The Conservation Officer clearly states in their report that neither 59, 60, or 61 Dame Street are on the RPS
- 7.2.3. Shamrock Chambers is recorded as a single entity on the NIAH (Ref: 50020089) which considers the amalgamated structures to be of architectural and historical interest and of regional importance. The NIAH entry makes specific reference to the rendered entrance on Eustace Street and the cage lift in a similar manner to the RPS. Consideration is also given to the first-floor glazing screen and the strong impression the building makes on the streetscape due to its form and scale. Whilst I accept that 59-61 Dame Street are not on the RPS and do not constitute Protected Structures, I am nevertheless satisfied that they are of heritage value. Consideration also needs to be given to the nature of the appeal sites location within a Conservation Area and largely surrounded by other Protected Structures.

Internal Alterations

- 7.2.4. The proposed internal alterations relate mainly to the removal of walls to assist with the provision of hotel bedrooms. From my site inspection it is clear that the interior of the building is in a state of disrepair. There appears to have been water ingress and large sections of ceiling have collapsed. Many of the walls proposed for removal are non-original partition walls and whilst I accept that they may be longstanding, I consider them to have limited heritage value and I have no objection to their removal.

Chimneybreasts

7.2.5. I acknowledge the removal of the chimneybreasts in 59 Dame Street at second and third floor level however, given the fact at 59 Dame Street is not a Protected Structure and the limited contribution the chimneys make to the overall heritage value of the building, I have no objections to their removal when balanced against the benefits of bringing a long term vacant building back into meaningful use. I am satisfied that the proposed interior works would not compromise the legibility of the buildings special architectural character, historic floor plans or architectural detail.

Cage Lift Car

7.2.6. As set out in the Planner's Report, the historic cage lift is directly referenced in the Record of Protected Structures and is a feature of architectural and technical interest that is understood to be a rare surviving example within the city of Dublin. The Applicant proposes to remove the cage lift car but retain it on site as a feature within the restaurant/bar. The Planning Authority previously accepted the removal of the cage lift car on the previous planning approval but have stated that it would be preferable for the lift car to remain within its original location.

7.2.7. I accept that there are many challenges associated with the retention of the lift car, including the health and safety aspects of the nature of the lift car (due to the cage doors) and the fact that it isn't automated and would require a lift operator. Retaining the lift car in its current location would likely require the installation of another lift elsewhere in the building and I accept that this would result in a much more significant intervention. The current proposal would see the lift car retained on site in the restaurant/bar and a modern lift car installed in the cage lift enclosure. I am therefore in agreement with the Applicant that whilst regrettable, the lift car cannot be retained and that repurposing the lift car elsewhere on site is appropriate.

External Alterations

7.2.8. The proposed external alterations relate mainly to repair/renewal of brickwork, works to windows and specific alterations to the main shop front and the protected frontage on Eustace Street. In my view, works to repair/renew brickwork are acceptable, as are works to the windows and I note that the bow window to the rear would be retained, which is welcomed.

Alterations to Shopfront

7.2.9. The existing shopfront has been much altered over the years and lacks coherence. The proposed shopfront design is not significantly different from the previously approved by the Planning Authority and no rationale has been provided for the change in opinion. Whilst the Planning Authority have stated that the shopfront could be retained and repaired, but in my view this would have limited success given the disparate form of the shopfront. In my view the proposed alterations to the shopfront would be acceptable and would be a positive change to the base of the building that would greatly improve the presentation onto Dame Street as well as addressing the corner. Whilst the first-floor glazing screen would be removed, I do not consider that this would be significantly injurious to the character or form of the building. I am also satisfied that the detailed design of the shopfront, materials, signage and external lighting would be entirely appropriate for a building of heritage value located within a conservation area.

Alterations to Eustace Street Frontage

7.2.10. The Eustace Street frontage is specifically mentioned in the RPS entry for Nos. 1-2. The proposed alterations include changes to one of the windows on the protected frontage in order to lower the base of the window to accommodate a Part M compliant entry to the main hotel reception. Whilst the loss of original fabric is regrettable, the proposal is a reasonable adjustment in order to provide full accessibility and I agree with the Applicant that it would be reversible in the future. In any event, the alteration would not significantly alter the appearance, character, or legibility of the protected frontage.

Extensions

7.2.11. Two extensions are proposed as part of the development. A single storey extension at rear first floor level and the larger roof extension that would provide an additional storey. I have no objections to the extension at rear first floor level, which I consider to be acceptable in design, scale, form, and amenity.

Roof Extension

7.2.12. In terms of the proposed roof extension, the Planning Authority note that the proposal, whilst similar to the previous permission, would be highly visible from ground level along Dame Street and Eustace Street and as a result would have a significant visual impact on the receiving environment. Additionally, the scale/massing is considered

disproportionate to the building below and the setbacks from the building edges are considered insufficient.

7.2.13. The Applicant considers there to be very little difference between the proposal and the previous permission, and that the extension is a carefully designed proportionate structure that appears as secondary or subsidiary to the existing older, characterful building. The Applicant also argues that the development would not result in any adverse amenity impacts to neighbouring properties.

7.2.14. The site is located within a Conservation Area, and I note that whilst Dame Street does not have a uniform shoulder height, and that buildings are generally a mix of architectural styles, the street is generally consistent in that few of the buildings have roof extensions. That being said, I have no objection to the principle of a roof extension at the subject property nor do I have any objections to an extension in a contemporary style.

7.2.15. I acknowledge the previously approved roof extension but, in my opinion, the proposed extension is markedly different in scale, form, and prominence. The existing building is already one of the more prominent buildings on this stretch of Dame Street. In my opinion, the proposed extension, which is a prominent vertical extrusion with minimal set back from the building edges, would be disproportionate in scale and massing in comparison to the proportions of the host building, which is of heritage value and incorporates parts of a Protected Structure. Given the prominence of the existing building in views along Dame Street, I am of the view that the extension would also impact on the visual amenity of the Conservation Area. In my opinion, a successful roof extension on this building would need to be more recessive in its positioning and take a more subservient role to the building below, with reduced height and an increased setback from the facades. In its current form, I am of the view that, on balance, the proposed roof extension would be injurious to the character and appearance of the host building and the visual amenity of the surrounding conservation area and the streetscape on Dame Street.

7.3. Land Use

7.3.1. The Planning Authority argue that the proposed development could lead to an overconcentration of hotels/visitor accommodation in the local area and that this would

result in a lack of variety of uses in the vicinity, contrary to policy SC3 and objective CUO18 of the CDP.

- 7.3.2. The Applicant argues that the development needs to be considered against the provisions of the development plan as a whole, that the development would not result in an overconcentration of hotels, particularly in light of the previous permission on this site and the overconcentration study submitted as part of the appeal. The Applicant considers that there is inconsistency in how the Council are dealing with the issue as overconcentration was not raised as a concern on other permitted hotels in the local area, and that the Council failed to follow their own guidance to request submission of an overconcentration study, which could have been requested as Further Information.

Overconcentration of Hotel Use

- 7.3.3. The appeal site is Zoned Z5, the objective of which is to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity. Hotel use is permissible on Z5 land, but I note that the zoning objective seeks to protect against an overconcentration of hotel uses in a particular area. In land use terms, I am therefore satisfied that the proposed use is acceptable in principle, subject to it not resulting in an overconcentration of hotel use.
- 7.3.4. Section 15.14.1 of the CDP states that there will be a general presumption against an overconcentration of hotels/aparthotels and where the Planning Authority deem there to be an overconcentration in an area then Applicants will be requested to submit a report indicating all existing and proposed hotel and aparthotel developments within a 1km catchment, as well as a justification that the development would not undermine the principles of achieving a balanced pattern of development in the area, in addition to demonstrating compliance with other policy requirements.
- 7.3.5. Section 15.14.1 of the CDP also states that Dublin City Council will carry out an analysis of the supply and demand for tourism related accommodation in the Dublin City area, but at the current time this does not appear to have been completed and I have not been made aware of any updated information in this regard. Meanwhile, the Planning Authority will consider hotels on a case by case basis, having regard to the location of the site and existing hotel provision in the area.
- 7.3.6. The Planning Authority did not request an overconcentration study from the Applicant, although this has been provided as part of the appeal. This measures hotel provision

within 1km of the appeal site in accordance with the development plan, in order to demonstrate that there would not be an overconcentration of hotel use. Information has been provided on hotels per sq./km and hotels per head of population for the 1km radius referred to in the CDP. The Applicant makes specific reference to a hotel scheme permitted by Dublin City Council on Camden Row and notes that whilst there would be more hotels per sq./km at the Shamrock Chambers site, there are less hotel bedrooms per head of population.

- 7.3.7. There are clearly various different methodologies to measure hotel provision, however, I note that the CDP does not provide any quantitative threshold by which overconcentration of use is to be measured, nor have the Planning Authority indicated what parameters are being used to determine what constitutes overconcentration. The Planning Authority have clearly deemed that there could be an overconcentration of hotels in the area, but without a quantitative assessment/empirical evidence base, it would seem that this is based purely on the sense of the character of area, which is subjective and a matter of perception. When considering an issue such as overconcentration of hotels and restricting uses, weight must be given to the evidence base and factors that can be measured with clear thresholds and limits.
- 7.3.8. In my view, the Planning Authority have not demonstrated that there would be an overconcentration of hotels in this location. I concur with the Applicant that hotels are generally more numerous in city centres due to locational characteristics, and I consider the provision of a hotel in close proximity to high frequency public transport and the various visitor attractions and services of the city centre to be appropriate and acceptable.
- 7.3.9. I acknowledge that there must be a limit to hotel provision within an area before it starts to significantly alter that area's character. However, hotel use has previously been permitted on this site and the hotel use previously permitted has been factored into the assessment of other hotels, and as such, I am of the view that a single additional hotel on the appeal site, albeit slightly larger than the previous permission, would not tip the balance of the immediate area (1km) such that there would be a significant or detrimental change in character of use, vitality, or vibrancy.

Impact on Housing

- 7.3.10. Policy SC3 promotes a mixed-use land use policy in the city centre, including the provision of high quality, sustainable residential development, and facilitating the conversion of both old office buildings and over shop spaces to residential. The Planning Authority have expressed a clear preference that the building be converted to residential use. It is also noted in some observations that there has been an apartment in the building and as such the development would result in the loss of existing and potential residential uses, resulting in less long term and secure accommodation being made available.
- 7.3.11. The Applicant argues that Policy SC3 seeks to 'promote' rather than 'require' and that the Planning Authority have disregarded the benefits of a hotel use coming forward at a property that is almost entirely vacant, that it is not known to have been in residential use, and that the development would therefore not result in the loss or displacement of residential use.
- 7.3.12. At the time of my site inspection, I did not see any evidence of current residential use and there is clearly some ambiguity as to the status of any apartment or residential use on site. In any event, I am of the opinion that the loss of a single residential unit would not be significant. I agree with the Applicant that the development plan should be considered as a whole, and given that the uses proposed are permissible under the zoning objective, I am of the opinion that there is no compelling reason why Policy SC3 should take precedence in terms of the provision of residential use, particularly in the absence of the Planning Authority suitably demonstrating that there would be an overconcentration of hotels in the area such that the proposed hotel use should be restricted.

Restaurant/Bar and Impacts on Temple Bar

- 7.3.13. The Planning Authority have raised concerns regarding the use of the ground floor as a restaurant/bar and that in order to maintain the mixed use cultural role of Temple Bar, in line with Policy CUO18, there is a presumption against further expansion of floor space for licenced premises, or the sale of food or alcohol for consumption off the premises.
- 7.3.14. On this basis I would note that the proposed restaurant and bar are not for the consumption of food or alcohol off the premises. The restaurant/bar would be ancillary to the hotel and will involve visits by members of the public in addition to guests for the

consumption of food and drink on site. I am satisfied that this does not fall within the use restricted by policy CUO18.

7.3.15. I also agree with the Applicant that the Planning Authority's position is contrary to Section 15.14.1.1 of the CDP, which encourages hotel developments to provide for publicly accessible facilities such as café, restaurant and bar uses to generate activity at street level throughout the day and night. Notwithstanding the fact that the most recent use for the majority of the ground floor was restaurant/retail, and that consequently a significant change of use is not being proposed, there is clearly policy support for the provision of a restaurant/bar, and I am of the view that it would add to the range of uses at street level and that it would contribute to active uses and the vibrancy of the street, without compromising the cultural integrity or character of Temple Bar.

7.4. Other Matters

7.4.1. The Planning Authority have raised concerns at the lack of Structural Surveys and Conservation Method Statements for the proposed works. Whilst ideally these would have been provided with the application, I am satisfied that should the Board be minded to grant permission, these documents could be suitably addressed by way of planning conditions.

8.0 AA Screening

8.1.1. I have considered the Shamrock Chambers hotel proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located on Dame Street/Eustace Street in central Dublin, approximately 3.6 km away from the South Dublin Bay and River Tolka Estuary SPA and the South Dublin Bay SAC which are the nearest European Sites.

8.1.2. The proposed development comprises a change of use to provide a 47-bedroom hotel, including internal and external alterations and extensions at first floor and roof level.

8.1.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- The limited extent and scale of the works which incorporates a change of use and redevelopment /extension of an existing building.
- The distance from the nearest European Site, the existing wastewater connections and the lack of direct hydrological connections to the European Sites of Dublin Bay.
- Having regard to the screening determination by LPA on the current application and the previous application on which an Appropriate Assessment Screening Report was submitted.

8.1.4. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

9.0 Recommendation

9.1.1. I recommend that the Board uphold the decision of Dublin City Council and refuse planning permission for the reason set out below.

10.0 Reasons and Considerations

Having regard to the excessive height, scale, and massing of the proposed roof extension relative to the proportions of the host building, it is considered that the roof extension would be an overly dominant and obtrusive form of development that would be injurious to the character and appearance of the host building, which is of heritage value, the visual amenity of the surrounding Conservation Area, and the streetscape on Dame Street. The development would therefore be contrary to Policy BHA2 and BHA9 of the Dublin City Council Development Plan 2022-2028, would set an undesirable precedent for similar type development, and would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought

to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Terence McLellan
Senior Planning Inspector

31st July 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

| | | | |
|---|---|---|---|
| An Bord Pleanála Case Reference | 318298 | | |
| Proposed Development Summary | Protected structure: Change of use to hotel and provision of additional storey together with associated site works. | | |
| Development Address | 59, 60 and 61 Dame Street and 1 & 2 Eustace Street, Dublin 2 (also known as "Shamrock Chambers") | | |
| 1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small> | Yes | X | |
| | 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) and does it equal or exceed any relevant quantity, area or limit where specified for that class? | | | |
| Yes | | | EIA Mandatory EIAR required |
| No | X | | 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 | | | No EIAR or Preliminary Examination required |
| Yes | X | Class 10 (iv) - Urban development which would involve an area greater than 2 hectares in the case of a business district. | Proceed to Q.4 |

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| 4. Has Schedule 7A information been submitted? | | |
|--|---|----------------------------------|
| No | X | Preliminary Examination required |
| Yes | | Screening Determination required |

Inspector: _____ Date: _____

Appendix 2

Form 2

EIA Preliminary Examination

| | | |
|--|--|------------------------------|
| An Bord Pleanála Case Reference | ABP-318298-23 | |
| Proposed Development Summary | Protected structure: Change of use to hotel and provision of additional storey together with associated site works. | |
| Development Address | 59, 60 and 61 Dame Street and 1 & 2 Eustace Street, Dublin 2 (also known as "Shamrock Chambers") | |
| <p>The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.</p> | | |
| | Examination | Yes/No/ Uncertain |
| <p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p> | <p>The proposed development is for a hotel, in an area that is characterised by a range of city centre commercial use. The proposed development would therefore not be exceptional in the context of the existing environment in terms of its nature.</p> <p>The development would not result in the production of any significant waste, emissions or pollutants.</p> | No. |
| <p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the</p> | <p>The size of the development would not be exceptional in the context of the existing environment.</p> | No. |

| | | |
|--|--|------------|
| <p>context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p> | <p>There would be no significant cumulative considerations with regards to existing and permitted projects/developments.</p> | |
| <p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p> | <p>The development would be located in a serviced area and would not have the potential to significantly impact on an ecologically sensitive site or location. There is no hydrological connection present such as would give rise to significant impacts on nearby water courses (whether linked to any European site or other sensitive receptors). The proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other urban developments.</p> <p>Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area. It is noted that the site is not designated for the protection of the landscape or natural heritage and whilst the development would and impact on a Conservation Area and buildings of heritage value (including a protected structure) this would not be to the extent/significance that it would warrant the submission of an EIAR.</p> | <p>No.</p> |
| <p>Conclusion</p> | | |
| <p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p> | | |

Inspector: _____

Date: _____