



An
Bord
Pleanála

Inspector's Report ABP-318805-24

Development	Demolition of building, construction of 7 storey hotel with all associated site works.
Location	12 Camden Row, Saint Kevin's, Dublin 8.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3883/23
Applicant(s)	ORHRE Camden Row Limited
Type of Application	Planning Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third party
Appellant(s)	Philip Elliott Ivana Bacik TD
Observer(s)	None
Date of Site Inspection	18 th December 2024
Inspector	D. Aspell

1.0 Site Location and Description

- 1.1. The site is at 12 Camden Row, Dublin 8. It is accessed from Camden Row and has a secondary rear access from a laneway off Pleasant's Place. The site comprises a 2-to-4-storey commercial building with car and cycle parking to the front.
- 1.2. A 2-to-6 storey office building is adjacent to the west. A 2-storey equivalent commercial (cash & carry) building is to the east. St. Kevin's Park is across the road to the north. A 3-to-4 storey office building and a 2-storey vocational training centre are to the south.
- 1.3. I would characterise the site as being within a mixed-use and primarily commercial area that extends from Camden Street to the east, however I note there is extensive residential development generally to the west. The DIT/TUD Kevin Street redevelopment is under construction across Camden Row to the north-west.

2.0 Proposed Development

- 2.1. The development proposed at application stage is summarised as follows:
 - Demolition of existing 2-to-4 storey building on the site;
 - Construction of 7-storey over basement hotel accessed from Camden Row;
 - Hotel to comprise 195 no. rooms, gallery, reception, restaurant, patio, garden, and cycle parking at ground level, with staff facilities and plant at basement.
- 2.2. In response to further information a number of revisions were proposed to the planning authority, including: a reduction in height to 5-6 storeys (incl. reduction in bedrooms to 163 no.) with the height set back from Camden Row and from the site to the east; the gallery space and restaurant space to be useable together; addition of screening/louvres; omission of one of the two vehicular accesses from Camden Row; and layout and cycle parking changes.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Dublin City Council issued a notification of decision to grant permission subject to 19 no. conditions. I note the following:

- Condition 4 related to works to the public road and taking in charge;
- Condition 5 required agreement of external finishes;
- Condition 9 required hotel noise not to be audible in adjoining premises;
- Condition 10 required agreement of a ventilation & odour management system;
- Condition 12 set out standard requirements for waste management;
- Conditions 13, 14, 15 & 16(e) regarding construction & demolition management;
- Condition 16 required omission of all vehicular accesses from Camden Row; provision of a loading bay or double yellow lines to the front of the site along Camden Row; and changes to the size of cycle parking store for staff;
- Condition 17 related to standard requirements regarding drainage;
- Condition 18 required standard archaeological assessment;
- Condition 19: Required compliance with codes of practice, including those of the planning authority Noise & Air Pollution Section.

3.2. Planning Authority Reports

3.2.1. Planning report: The planning authority report in response to further information recommended permission be granted. The report made the following points:

- Hotel: Report noted information submitted on the supply of hotels and did not consider there is an overconcentration of hotels in the area. Report noted a residential development feasibility study for the site was submitted. Given the narrow plot width, the proximity of adjacent properties, and development standards the report stated the site does not lend itself to residential development. Report stated hotel is acceptable in this instance;

- Layout: Report noted the revised restaurant and gallery spaces can be used as a flexible space for evening activities, will be managed by staff, and storage for room dressing is provided. Report stated proposal accords with Policy CUO39;
- Building height & visual impact: Report noted the planning authority archaeology section stated the height would have a negative impact on nearby recorded monuments and protected structure. The revised proposal for 6-storeys with the 6th storey set back was considered acceptable and addressed concerns;
- Plot ratio & site coverage: Report noted the proposed plot ratio of 4.3 and site coverage of 57% exceed the indicative plot ratio standard;
- Elevations, materials & character: Front and side façades are to be glass and brick. East and west elevations have a 'saw-tooth' pattern of angled windows. The proposal has a contemporary design that will complement the character of the area. Details of materials should be agreed by condition;
- Adjoining site development potential: Windows will be angled away from neighbours. Screening, louvres, omission of some windows, and a reduction in width away from site boundaries introduced at further information will further mitigate overlooking. Report considered this acceptable;
- Basement impact: Report stated the basement impact assessment showed it will not impact existing structures due to distance from adjoining foundations;
- Access & parking: Report noted the further information response removed the second vehicle access and indicated servicing from Camden Row only. Roads section recommend permission be granted subject to conditions;
- Noise: Report stated the nearest dwellings are c.55m away, and as such the proposal would not have a noise impact on existing or permitted dwellings;
- Management: Report noted an operational management plan is submitted. The proposal will be managed by a group managing hotels in Ireland;
- Waste: Report noted that refuse storage is to be along the eastern elevation with waste collection along Pleasant's Street;
- Archaeology: Post-demolition assessment and testing required;

- Demolition: Report stated the site is not a protected structure or on the National Inventory of Architectural Heritage and that demolition is acceptable;
- Construction: Report noted an outline construction traffic management plan is submitted but a construction management plan is required.

Other Technical Reports

3.2.2. Transportation Planning: Report recommended permission be granted subject to conditions, summarised as follows:

- No vehicle access from Camden Row to be permitted due to limited space;
- Details of works to Camden Row to be agreed, including to the footpath and provision of a loading bay or yellow lines;
- Improvements to, or increase in size of, staff cycle parking is required;
- Demolition, construction, and mobility management plans required;
- Costs and codes of practice required.

3.2.3. Drainage: No objection subject to conditions (that is, codes of practice; separation of foul & water systems; incorporation of sustainable urban drainage systems; surface water attenuation details; construction details; and construction & demolition).

3.2.4. Archaeology Section: No objection subject to two conditions. The report recommended the height and scale be reduced to protect the curtilage of, and better reflect the scale and grain of the street in the context of, St. Kevin's Church and Graveyard (Recorded Monument). The report also recommended an archaeological assessment be undertaken on site prior to commencement.

3.3. Third Party Observations

3.3.1. During the application stage observers made submissions to the planning authority regarding: hotel use, noise, waste, servicing, design/form, development standards, development potential of adjoining lands, housing and sustainable communities.

3.4. Prescribed Bodies

Transport Infrastructure Ireland: Section 49 Supplementary Development Contribution Scheme - Luas Cross City.

4.0 Planning History

4.1. Subject site

None.

4.2. Nearby sites

Reg. Ref. 2682/20 (ABP Ref. PL29S.309217): Amended by Ref. 3565/22 and Ref. 4308/23. Permission granted by the Board in 2021 at DIT/TUD, Kevin St. Lwr. for:

- Demolition of the TUD main buildings, annex building, and warehouses;
- Construction of a mixed-use development in 5 no. blocks (A-E) ranging from 1 to 14 no. storeys over lower ground and basements (3 no. levels);
- Development to comprise 53,110sqm commercial office floorspace in Blocks A, B & C and 21,669 sqm residential accommodation in Blocks D & E, providing 299 no. Build to Rent units, residential support/amenity facilities, creche, café/restaurant and exhibition space. Gross floor area 85,436 sqm.

5.0 Policy Context

5.1. Development Plan

The site is zoned 'Z4 Key Urban Villages / Urban Villages' where the land use zoning objective is "*To provide for and improve mixed-services facilities*". I note the following development plan provisions:

Regarding Hotel development, Policy CEE28 'Visitor Accommodation' is of particular importance. I also note the provisions of Objective CEE01 'Study on the Supply & Demand for Hotels, Aparthotels and Hostels' and Sections 6.5.5 'Key Economic Sectors – Tourism, Hotels and Events', 15.14.1 'Hotels and Aparthotels' and

15.14.1.1 'Hotel Development'. I also note Objectives CUO38 'Noise Impacts' and CUO39 'Purpose Built Spaces for Evening and Night Time Activities';

Regarding building height and compact growth, Policies SC11 Compact Growth, SC14 Building Height Strategy, SC15 Building Height Uses, SC16 Building Height Locations, and SC17 Building Height;

Regarding building density, plot ratio and site coverage, Section 4.5.4 'Increased Height as part of the Urban Form and Spatial Structure of Dublin'; Appendix 3 'Height Strategy', Section 3.2 'Density' including Table 1 'Density Ranges' and Table 2 'Indicative Plot Ratio and Site Coverage' are relevant;

Regarding climate mitigation, demolition and embodied carbon, Policies CA6 'Retrofitting and Reuse of Existing Buildings ', CA8 'Climate Mitigation Actions in the Built Environment', Section 15.4.3 'Sustainability and Climate Action' and 15.7.1 'Re-use of Existing Buildings' are relevant;

Regarding archaeology: Development plan zoning map E shows the site within the zone of archaeological interest for Recoded Monument (DU018-020 'Historic City'. The site is also within an area identified as 'Medieval City' in the development plan (Figure 11-2 'Dublin's Historic Core'). Policy BHA26 'Archaeological Heritage', Section 15.15.1.8 Archaeological Mitigation are relevant in this regard.

5.2. National guidelines and strategies

Urban Development and Building Heights Guidelines for Planning Authorities 2018

5.3. Natural Heritage Designations

- 5.3.1. South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC are c.3.6km east.

5.4. Environmental Impact Assessment screening

- 5.4.1. The Applicant submitted an 'EIA Screening Report'. Section 6 concluded the development will not be likely to have significant effects on the environment. The EIA Screening was against Schedule 7 criteria with information provided pertaining to Schedule 7A of the Planning and Development Regulations 2001, as amended. As

the applicant included information in Schedule 7A and Article 103 of the regulations an EIA Screening Determination is required. Please See Appendix 2 Form 3 where I have determined the following: Having regard to:

(1) the criteria set out in Schedule 7 and 7A, in particular:

(a) the limited nature and scale of the proposed hotel development, in an established urban area served by public infrastructure;

(b) the absence of any significant environmental sensitivity in the vicinity;

(c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended);

(2) the results of other relevant assessments of the effects on the environment submitted by the applicant;

(3) the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the proposal to preserve in situ known archaeological features;

It is concluded the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required (See Forms 1 & 3 Appendix 1).

6.0 The Appeal

6.1. Grounds of Third-Party Appeal

6.1.1. Two third-party appeals were received. The main points are summarised as follows:

Ivana Bacik TD

- Housing: Appeal concerned with construction of a hotel rather than housing. There is a high density of hotels in the area, with 15 no. existing or planned hotels in a 500m radius and a further 40 no. in a 1km radius;
- Sustainable Communities: Appeal states more hotels will not promote sustainable communities and provide little community value/gain. This site should be for housing and local amenities such as green space/sports facilities;

- Amenity: Appeal states residents are concerned at the overconcentration of licensed premises in the area. There is a shift toward the nighttime economy in and increased antisocial behaviour the area. The area is a mixed-use key urban village and should have a mix of commercial, civic and residential;
- Conditions: Appeal states condition should ensure the hotel does not become a pub/bar. Conditions should prohibit live/loud music; queues and smokers obstructing the footpath; and operation of smoking areas as beer gardens. Details of noise, odour and ventilation; service management plans and bin storage should be made available prior to permission being granted.

O'Neill Town Planning on behalf of Philip Elliot of Elliots Cash & Carry

- Proximity to appellant site: Appeal states main concern is proximity of windows to appellant's site. Concerns of overlooking and privacy and that this may inhibit future development of the site;
- Design: Site is on the edge of an Architectural Conservation Area (ACA) near protected structures. The design is incongruous in this historic area;
- Height: The number of storeys is incongruous. Proposal is 3-4 storeys taller than adjoining buildings and would be overbearing. Scale, bulk and massing are monolithic and injure visual amenities. Proposal would cause overshadowing;
- Hotel: Hotel use is premature pending planning authority research. There is no need for another hotel in the area. A mix of uses and housing is required;
- Construction: No account is taken of adjacent wholesale business. Construction will require 1.5-2.5m sections of appellant's site which would sterilise part of appellant property for up to 2 years;
- Basement: Appeal concerned whether the proposal could be built given the proximity of the proposed basement walls to the existing building;
- Archaeology & Heritage: Site is in zone of archaeological constraint for two recorded monuments and the footprint of the Mineral Water Works listed in the Dublin Industrial Heritage Record. Proposal affects the character of the area;
- Development standards: Proposal exceeds indicative site coverage and plot ratio standards. Site comprises gross overdevelopment;

- Demolition: Demolition is unnecessary and contrary to Government guidelines, and is not justified in relation to embodied carbon and reuse;
- Noise: Proposal will give rise to noise;
- Material contravention: Based on the foregoing the appeal states the proposal materially contravenes the development plan.

6.2. First-Party Response to Third-Party Appeal

6.2.1. A first-party response to third-party appeals was received, summarised as follows:

- Hotel: Residential is not required on the site. The Design Statement demonstrates the constraints for residential development on the site. The submitted Tourist Accommodation Study demonstrates an absence of hotels to the south and southwest of Camden Row. Response states there is no overconcentration in this area which the planning authority accepted;
- Sustainable communities: Response states proposal brings new uses (hotel, restaurant, and flexible gallery space), adds vibrancy and nighttime uses, and helps regenerate the area. The restaurant & gallery will be publicly accessible;
- Amenity: Response states the hotel does not include a bar. The restaurant will be primarily for guests. Evening activities/events (eg. small scale performances, recitals, lectures, discussions) will be managed and end by 22:00 as per in the Outline Operational Management Plan. Applicant will accept reasonable conditions to ensure the amenity of the area is respected;
- Demolition: Response states the application included a Demolition & New Build justification and Demolition Justification letter prepared by the applicant's engineers as per development plan requirements. They set out measures to reduce embodied carbon. The response includes a demolition rationale;
- Plot ratio & site coverage: Response states the appeal reference to the previous development plan is no longer relevant. The proposal is slightly below the site coverage levels and slightly above the plot ratio levels in the development plan. It states parts of the DIT/TUD development are of a similar plot ratio. Development plan provisions for increased plot ratio in certain circumstances apply to this site due to the proximity to public transport corridors and the

regeneration of the area. Proposal aligns with policy for greater density in this location and does not materially contravene the development plan;

- Height & form: Response states the appeals misconstrue the proposed height and refer to previous development plan requirements. The height will be 6 storeys and 5-storeys adjacent the cash & carry. This complies with the development plan and building height guidelines. The height is similar to other buildings in the area. The separation distances are appropriate for the location;
- Heritage & Conservation: Site is not in a conservation area and does not contain protected structures;
- Embodied carbon: Response states a 'demolition & new build' justification and a 'demolition justification letter' prepared by the applicant's engineers were submitted with the application and set out appropriate details. A 'demolition justification' letter prepared by the applicant's engineers is submitted with the response to appeal which addresses appellant concerns;
- Cash & carry site: Response states the proposal will not have a significant impact on the ability of the adjacent landowner to develop their site. The design incorporates a set-back top floor adjacent the cash & carry, and the hotel windows are orientated south to mitigate overlooking or privacy impacts;
- Construction: Response states construction will not have a significant impact on operation of the cash & carry. The 'construction management appeal response' demonstrates no adverse impacts on the cash & carry during construction. Response states no part of that site will be sterilised.

6.2.2. The response includes an Architectural Appeal Response prepared by the applicant's architect. It sets out brief details in relation to design, scale & massing; noise; impacts on footpath; odour management; waste management; and fire safety.

6.2.3. I note sections 1.6 and 6.44 of the response state that notwithstanding the changes made to the proposal in response to further information, the applicant requests the Board consider the merits of the proposal as submitted at application stage.

6.2.4. I also note the appeal response includes a letter relating to construction management and a number of demolition and construction drawings prepared by the applicant's engineer. They set out details of the proposed approach to construction

including estimated timelines and swept path analyses. The letter states the proposal can be built without interfering with the operation of the cash & carry business, however, it also sets out what it describes as “a relatively minor access arrangement with the adjoining owners” which “would enable a speedier construction and bring benefits to both parties...”. The letter sets out details and states the arrangement would not impede traffic movement in the cash & carry. Review of the submitted drawings indicates a proposal to use two 1.5m wide areas along the site boundary but within the cash & carry premises at different phases of demolition and construction. The letter states these areas would impact cars parked in these locations and that the cars could be temporarily located to nearby public car parks on a rental basis for the duration of the temporary hoarding. The letter references a meeting with the appellant’s advisors.

6.3. Further Third-Party Response

6.3.1. Further responses from the third-party appellants were received.

- Ivana Bacik TD: The response states no further comments.
- O’Neill Town Planning on behalf of Phillip Elliot: The response reiterates points made by the appellant, and states support for some of the points raised by Ivana Bacik TD including in relation to housing, land use mix, impacts on residential amenity, the character of the area and design.

6.4. Planning Authority Response

6.4.1. Response received requesting decision be upheld, and for standard financial contributions to be attached should the permission be granted. Reference is also made to the planning authority planner report for other conditions.

6.5. Observations

6.5.1. None.

7.0 Assessment

7.1. Having regard to the foregoing; having examined the application, appeal and planning authority reports; having inspected the area around the site; and having regard to relevant adopted development plan policies and objectives, I consider the main issues in this appeal are as follows:

- Hotel development;
- Building height and form;
- Impact on amenities of the area;
- Construction;
- Related matters raised in the course of the appeal;

Hotel development

7.2. The site is zoned Z4. Hotel development is permissible in principle in this zone. I am satisfied hotel development is permissible in principle in this area.

7.3. Development plan Policy CEE28 states that hotel development will be considered having regard to a number of criteria. It requires consideration of applications to have regard to existing levels of visitor accommodation in the vicinity; the existing and proposed type of visitor accommodation in the vicinity; and 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.

7.4. The applicant planning report sets out information on the supply and demand for hotels which indicates an undersupply of hotel beds in Dublin. The report includes a survey (dated August 2023) of existing and permitted hotels, guesthouses, hostels and student accommodation in a 1km radius of the site. It identifies 15 no. hotels and guesthouses, 2 no. hostels, 3 no. proposed hotels and guesthouses, and 1 no student accommodation within a 500m radius of the site. It identifies a further 40 no. existing and permitted hotels and 6 hostels between 500m and 1km of the site. It states that hotels and aparthotels are entirely absent from the area to the west and south of Camden Row. The report states this highlights a modest provision of tourist accommodation within the immediate surrounding area. The report states there is a higher concentration of hotels further east on Harcourt Street, and that the majority

of hotels identified are around Dame Street and Temple Bar between Dawson Street and Aungier Street. The report considers there is an underprovision of existing and proposed hotels in the southern part of Dublin 8. It concludes the proposal will not constitute or contribute to an overconcentration of hotels in the area.

- 7.5. I note the submitted survey includes information on levels of existing and permitted visitor accommodation within a 1km catchment, however no information on short-term letting is provided. In addition, whilst the report identifies each premises by name, address, type of accommodation and number of rooms, it does not provide details classification. In relation to the absence of details on classification, given the nature of the hotel, and the absence of hotels in the immediate vicinity, I am satisfied with the extent of information provided in this regard. In relation to short-term letting, I am satisfied with the information submitted in this regard as I consider the hotel would aid in the provision of purpose-built shorter stay visitor accommodation and the diversion of demand away from traditional longer term accommodation.
- 7.6. The planning authority planning report states that having regard to the information submitted and the number of hotels / guesthouses within 500m of the site, it does not consider there is an overconcentration in the area. It takes into account the information submitted by the applicant as to the feasibility of residential development on the site. The report states that accordingly hotel use is considered acceptable.
- 7.7. I note that analysis of tourism accommodation supply is yet to be prepared by the City Council (development plan Objective CEE01). I also note the Council provides limited quantifiable parameters to guide assessment of overconcentration.
- 7.8. Regarding the reference in Policy CEE28 to range of uses and functions, having regard to the mixed-use character of the immediate area; the primarily commercial areas to the east and residential areas further west; the central location within the City; and the nature of the hotel proposed, I consider the proposal is in principle acceptable in terms of the mix of uses and functions in this area and the wider city.
- 7.9. Having regard to the foregoing, and given the location; the information provided on hotel supply and demand; the provisions of the development plan; and the existing provision of hotels in the area, I am satisfied the proposal would not give rise to an overconcentration of such facilities in the area; would not undermine the principles of achieving a balanced pattern of development in the area; or the objective to provide

a rich and vibrant range of uses in the city centre; or the need to prevent an unacceptable intensification of activity. As such I consider the proposal complies with the criteria set out in Policy CEE28, and Sections 15.14.1 'Hotels and Aparthotels' and 15.14.1.1 'Hotel Development' of the development plan, and is acceptable in these regards.

Sustainable communities

7.10. One appeal references the promotion of sustainable communities, community gain, added value to the community, and local resident amenities. The application proposes a gallery space adjacent the reception and restaurant, and for the restaurant to be convertible to use as a larger temporary a gallery/exhibition space.

7.11. Policy CEE28 states the consideration of applications for hotels should have regard to 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. Objective CUO39 requires all new large hotels to provide high quality, designed for purpose spaces that can accommodate evening and nighttime activities, and/or for flexibility in the design of larger spaces to be adaptable for evening and night-time uses.

7.12. Given the foregoing, I am satisfied the proposal meets the requirements of the development plan in this regard in a manner appropriate to the surrounding area.

Housing supply

7.13. The appellants state the site should be used for housing. The applicant submits information setting out details as to why the site does not lend itself to sustainable residential development. I am satisfied the proposed development would not have a significant negative impact on the supply of house in this regard.

Building height and form

7.14. The proposed height as revised at further information stage ranges from 7 to 6 storeys. I have assessed the development against the requirements of the development plan, including Section 14.6 Transitional Zone Areas, Policy SC16 Building Height Locations, Policy SC17 Building Height, and Appendix 3.

- 7.15. The planning application sets out considerations of the proposed height, including in relation to the Building Height Guidelines and development plan, including development plan Appendix 3.
- 7.16. In relation to building height in the area, heights in the immediate vicinity vary and I consider range from 1 to 6 storeys. I would characterise the prevailing height in the immediate area as generally 2-storeys or equivalent, however there are a number of 4-storey structures in the wider area. The building on the subject and adjacent sites are the largest in the immediate area and together range in height from 2 to 6 storeys. I note the buildings under construction across the road as part of the DIT/TUD Kevin Street campus redevelopment range in height from 4 to 14 storeys.
- 7.17. The development plan states that the Building Height Guidelines note that general building heights of at least three to four storeys, coupled with appropriate density in locations outside what is defined as city centre must be supported in principle at development plan level. The guidance also states that within the canal ring it would be appropriate to support the consideration of building heights of at least 6 storeys at street level as the default objective, subject to keeping open the scope to consider even greater building heights. Appendix 3 states that as a general rule buildings of between 5 and 8 storeys, including family apartments and duplexes, are promoted in the key areas identified. It states that in relation to the 'City Centre and within the Canal Ring (inner suburbs)', a default position of 6 storeys will be promoted within the canal ring subject to site specific characteristics, heritage/environmental considerations, and social considerations in respect of sustaining existing inner city residential communities.
- 7.18. Based on the foregoing, I consider the proposed height of 5 to 6 storeys is in principle acceptable.

Dublin City Development Plan, including Appendix 3:

- 7.19. Development plan Policy SC16 recognises the predominantly low-rise character of Dublin City alongside the potential and need for increased height in appropriate locations including locations as identified in development plan Appendix 3. Section 15.5.4 of the plan states that Appendix 3 identifies the height strategy for the city and the criteria in which all higher buildings should be assessed. Appendix 3 states the performance criteria to be used in assessing urban schemes of enhanced density

and scale are set out in Table 3 of Appendix 3. The table sets out 7 no. objectives and 30 no. performance criteria; I have reviewed the proposal against each criterion and I consider that it generally supports the objectives and meets the performance criteria as stated, as follows:

Table 1: Assessment of proposed development against development plan Appendix 3 criteria.	
1. To promote development with a sense of place and character	The proposed form, height and location of the block will aid in identifying and establishing a sense of place for the broader area due to its enhanced profile. The proposed form, design and brick materials will fit reasonably well within the mixed character, design, period, and materials of existing and under construction buildings in the area.
2. To provide appropriate legibility	Whilst there is not a rigid building line along Camden Row, the building broadly aligns with neighbouring buildings. The building would be c.2-3 storeys taller than the taller neighbouring buildings. Based on the design, height, positioning and location I am satisfied the proposal will aid in identifying the area and will read as a contemporary block within this established but changing commercial area, and will complement the under construction DIT/TUD development to the north-west.
3. To provide appropriate continuity and enclosure of streets and spaces	The hotel addresses the street and is broadly aligned with the neighbouring buildings, although a rigid building line does not exist along the street. I am satisfied the building is set back appropriately from the street in terms of design and to allow an appropriate design relationship to the street. I consider the proposal strikes an appropriate balance between providing for public circulation space alongside appropriate continuity and enclosure of street and spaces.
4. To provide well connected, high quality and active public and communal spaces	An outdoor seating area is proposed adjacent the restaurant for patrons. No public spaces are proposed, which I am satisfied is appropriate given the nature of the use and the site. I am satisfied with the proposal in this regard.
5. To provide high quality, attractive and useable private spaces	The outdoor seating area for the hotel will be adjacent the restaurant. It is well screened by existing and proposed buildings. A garden is proposed for the ground floor rooms. I consider these spaces are appropriate for a hotel and are of a sufficient quality, and sufficiently attractive and useable.
6. To promote mix of use and diversity of activities	The hotel incorporates a restaurant and a gallery space. The restaurant and gallery space can be combined to provide for a larger gallery / multifunctional exhibition space. Storage space for this is provided. I am

	satisfied this is appropriate for the proposed use, including having regard to requirements for evening and night time activities in hotels (Objective CUO39) of the development plan.
7. To ensure high quality and environmentally sustainable buildings	The proposed building generally meets all local and national planning requirements, subject to conditions relating to detailed design and finishes. Appropriate sustainable urban drainage features are incorporated into the building and site. Overall I am satisfied the proposed building will be of a sufficiently high quality and in line with environmental sustainability planning requirements.
8. To secure sustainable density, intensity at locations of high accessibility	Whilst I do not consider density measurements are directly relevant to the proposed hotel, I am satisfied the site coverage and plot ratio figure proposed are acceptable for the area, and aligns with local and national requirements in this regard, including in relation to achieving an appropriate intensity for this largely commercial area close to the City Centre, and the existing higher capacity public transport services within walking distance.
9. To protect historic environments from insensitive development	There is a protected structures across the road. A part of the front of the site is within the notification zones of 2 no. protected monuments. The information submitted considers and assesses the proposal in the context of these structures and features. I consider the proposed design, form and materials has due regard to the historic environment. I am satisfied the development will protect the historic environment.
10. To ensure appropriate management and maintenance	An operational management plan, an operational waste management plan, and a mobility management plan including servicing management plan are submitted. The applicant states the hotel is to be managed by an existing hotel operator in Ireland. I am satisfied with proposal in this regard.

7.20. Overall, having regard to the provisions of the development plan, including Policy SC16 and Appendix 3, I consider the proposal to be within the height range stated by the development plan for the area within the canals. Having regard to the local prevailing context; to amenity, visual, functional, environmental and cumulative impacts; as well as to heritage, environmental, and social considerations in respect of sustaining existing inner city residential communities, I am satisfied the proposal provides for the reasonable protection of existing amenities and environmental sensitivities, of residential amenity, and of the established character of the area.

- 7.21. In relation to the Building Height Guidelines, and taking account of the wider strategic and national policy parameters set out in the National Planning Framework and the Guidelines, I consider the proposed height, form and scale is acceptable for the reasons set out above, and I consider the proposal is generally consistent with the provisions of the Building Height Guidelines, including SPPR 3.
- 7.22. Regarding visual impact, I have reviewed the visual impact assessment and submitted drawings and CGIs. The site is not within or adjoining a conservation area or protected structures. Whilst the proposed block would be a substantial and locally prominent addition to the area, having regard to the submitted information including photomontages and computer generated images, on balance I am satisfied the height, scale and visual impact of the proposal would be acceptable and consistent with the policy objectives for the area. I note the planning authority recommended removal of 1 no. storey which will reduce the visual impact of the proposal.
- 7.23. Regarding design, the response to further information references the addition of screening and louvres to the proposed angled windows, however I see limited details of same set out in the accompanying drawings. Condition 5 of the planning authority decision required submission for agreement of materials, and Conditions 6 and 7 required details of signage and related projections and displays. I see limited details of the proposed materials, finishes, and signage in the submitted drawings. I consider that a single condition is required to be attached for the agreement of details of materials, finishes, signage, and window screening/louvres.
- 7.24. Regarding overlooking, I note one appellant's comments that the proposal would give rise to overlooking of their adjacent cash & carry site. I am satisfied no overlooking of residential development would arise. The appellant also states the proposal in this regard would sterilise their site for future redevelopment. The neighbouring site is relatively large (measuring c.35m by c.45m) and not significantly encumbered by neighbouring development. The proposed windows are angled southward to reduce overlooking and impacts on neighbouring development potential. I note the proximity of the proposed windows to the shared boundary (that is, c.2.3m at closest). Given the foregoing and the central location, overall I am satisfied the proposed windows would not have an unacceptable detrimental impact on the development potential of the neighbouring site to the east. As set out above, I note the applicant references to proposed screening / louvres, however I see limited

details provided in this regard. As such I consider a condition for the agreement of relevant details with the planning authority in this regard is warranted.

- 7.25. I note Condition 8 prohibits additional development above parapet level without a further grant of planning permission. Given the height of the block, and the limited nature of exempted development regulations in this regard, I do not consider this condition is necessary.

Site coverage and plot ratio

- 7.26. Regarding plot ratio and site coverage, development plan Table 2 'Indicative Plot Ratio and Site Coverage' gives indicative plot ratio and site coverage ranges for areas in the City. The planning authority and applicant state the 'central area' category applies to the site. The 'central area' range is given as 2.5-3.0 for plot ratio and 60%-90% site coverage. The applicant indicates the proposed plot ratio and site coverage figures are 3.96 and 57%. The applicant sets out points for why the proposed plot ratio is acceptable, including that development plan provisions provide scope for a higher plot ratio in this area as it is close to public transport. I do not concur with the applicant's characterisation that the proposal is 'slightly above' the indicative plot ratio levels, however I note the site is within 230m of the Luas. Whilst I consider the development complies with local and national building height requirements, it exceeds the stated development plan indicative plot ratio range. However, given the foregoing I am satisfied the development plan provides latitude for this and that the proposal is consistent with the development plan core strategy, Policies SC11 and SC16, and Appendix 3.

Impact on amenities of the area

- 7.27. The appellants refer to potential impacts on the residential amenity of the area from noise and odour, and on the amenity of the area from antisocial behaviour. The applicant response states that the hotel will be owned and managed by an existing hotel operator and that no bar is proposed. Conditions 9, 14 and 19 set out requirements for noise management. Conditions 10, 12 and 19 of the planning authority decision set out requirements for odour and waste management.
- 7.28. Regarding context, the immediate area is predominantly commercial. The nearest dwellings to the site that I am aware of are along Pleasant's Place (c.25m to the

southwest) and Camden Row (c.50m to the west). There is a concentration of evening and nighttime uses along Camden Street c.80m to the east.

- 7.29. Regarding noise, overall, given the nature and layout of the proposed hotel, and that there are mainly day-time commercial uses adjacent, I do not consider unacceptable noise impacts are likely to arise. No bar is proposed. The proposal incorporates a restaurant which can also function generally as a gallery / exhibition space. It is to be located centrally within the building at ground floor, set back from the site boundaries, and would be largely screened from the road by the reception area. No access from the restaurant to the two grassed areas on the eastern side of the hotel is to be provided. There would be a small external seating area on the western side of the hotel; it would be largely screened by adjacent buildings to the west. There would be a long garden along the western elevation as far as the southern boundary. The southernmost end of the garden would still be c.23 from the nearest dwelling, and given its shape and position adjacent hotel rooms I do not it would have an unacceptable impact on nearby dwellings. Tree and hedge planting is proposed. The hotel is to be managed by a hotel management company. I am generally satisfied with the proposed arrangement, subject to the attachment of a standard condition relating to control of external noise.
- 7.30. Regarding odour, minimal information in this regard was submitted with the application. The proposed restaurant is not particularly large (c.190sqm), is located in a largely commercial area, and is c.25m from the nearest dwelling. I am satisfied the proposal is acceptable subject to a standard odour management condition.
- 7.31. Regarding waste, the applicant submitted an operational waste management plan and an operational management plan. A mobility management plan including servicing management plan was submitted in response to further information. The site layout indicates dedicated space for temporary waste storage within the site located away from any neighbouring residential development. I am satisfied the proposed arrangements would not give rise to significant impacts on neighbouring residential amenity subject to a condition for the agreement of related details.
- 7.32. Regarding anti-social behaviour, on balance I am satisfied the proposal is not likely to contribute significantly to anti-social behaviour in the area. Given the facilities proposed, I do not consider the hotel will act as significant destination in its own

right, with guests more likely to venture into the City Centre or the Camden Street area. Whilst this may give rise to additional activity along Camden Row, I do not expect this to impact residential amenities significantly; this is on account of the likelihood for most hotel occupants to be travelling east of the hotel which is a primarily commercial area, and away from the residential areas to the east.

Construction

- 7.33. One appellant (Phillip Elliot) owns the adjacent cash & carry. The appeal states construction of the hotel would require a 1.5-2.5m section of their site and that this would sterilise part of their property for up to 2 years.
- 7.34. Elliott's Cash & Carry is adjacent the site to the east. Its main rear service access (c.8.5m wide) runs adjacent the site, with the main cash & carry building being on the far side of the access. The effective boundary between the two landholdings at this point comprises the gable wall of the building to be demolished. Areas of the service access adjacent the gable wall are used for informal parking for the cash & carry.
- 7.35. Above ground level, the hotel will be set back from the cash & carry by at least c.1.9m. No part of the hotel would be on or overhang the cash & carry site.
- 7.36. Demolition, construction or construction environment management plans were not submitted. A preliminary construction & demolition waste management plan was submitted with the application. An outline construction traffic management plan was included in the submitted mobility management plan. It contained construction management information, including relating to phasing, working hours, noise control, vehicle movements, and storage. It included a construction site layout plan (Drawing 1313-7-MMCE-ZZ-ZZ-SK-S-0001-S1-P01 titled 'Construction Site Layout'). It showed no construction areas outside the red line area.
- 7.37. The appeal response set out further information and drawings in this regard. It indicates two areas outside the application red line area and within the cash & carry site proposed to be used temporarily by the applicant during construction. These areas would be located adjacent the shared boundary on parts of the cash & carry rear vehicular access which is also used informally for parking associated with that site. The appeal response shows hoarding to be erected in and overhanging these areas. Some information on demolition and construction time periods is set out.

- 7.38. I note the appeal response also states construction of the hotel would not sterilise the site for 2 years or interfere with day-to-day operations of the business. It states the hotel can be safely built without interfering with the operations of the cash & carry business. However, conversely it states cars which park in the space would be impacted and that these could be temporarily located to public car parks nearby on a rental basis. No supporting evidence in this regard is provided. The submitted drawings indicate larger vehicles could continue to access the site by the existing side route, however the response also states larger vehicles will have difficulty manoeuvring in the rear yard. Swept path analyses are provided. The response states discussions were had with the appellant but that no response was received.
- 7.39. In short, the appeal response indicates an approach to construction that would utilise third-party lands outside the red line area and outside the control of the applicant. This was not indicated as part of the application. The response to appeal states the arrangement outlined is to enable a speedier construction. No agreement from the appellant as the adjoining landowner is provided.
- 7.40. As part of the planning authority decision Conditions 11, 13, 14, 15 and 16 set out requirements for management of the construction phase. Condition 16(d) required agreement of a Demolition Management Plan and a Traffic Management Plan for Demolition and Condition 16(e) required agreement of a Construction Management Plan and Traffic Management Plan for Construction.
- 7.41. Noting the relationship off the two properties on the ground, I consider detailed demolition and construction proposals are required, including to ensure the safety and continued operation of the cash & carry during demolition and construction. I am not satisfied with the details of the intended approach to construction indicated as part of the appeal response. However, I am satisfied sufficient information has been provided as part of the application for planning permission to be granted, subject to conditions requiring agreement with the planning authority of detailed construction and demolition management plans incorporating construction and demolition traffic management plans. I also consider agreement by condition of a final construction & demolition waste management plan with the planning authority is required.
- 7.42. I acknowledge the points made by the appellant in this regard, however regard should be had to the provisions of Section 34(13) of the 2000 Planning and

Development Act which states that a person shall not be entitled solely by reason of a permission under that section to carry out any development. Agreements between the appellant and the first party are a civil matter to be resolved between the parties. I also consider that a condition should be attached to clarify that no works outside the red line area are permitted as part of any permission for the proposed development.

Related matters raised in the course of the appeal

Basement

- 7.43. The appeal from the neighbouring cash & carry owner expresses a concern as to whether the proposal could be built given the proximity of the proposed basement to the cash & carry building.
- 7.44. Elliott's Cash & Carry is adjacent to the east of the site. The cash & carry rear vehicular access runs along the eastern boundary of the subject site, with the main retail warehouse building on the far side of this away from the proposed development. The proposed basement is to abut the site boundary at this point, with the above ground levels set back from the boundary.
- 7.45. A basement impact assessment from the applicant engineer was submitted as part of the application. It sets out details of the intended construction. A contiguous pile retaining wall is to be used in construction of the basement. The report addresses the cash & carry site and states the basement will have no adverse impact on the cash & carry building. Standard mitigation measures in the form of monitoring of deflections, noise and vibrations are proposed. A Basement Plan Layout was also submitted with the application (Drw. No. 1313-7-MMCE-ZZ-B1-SK-S-1001-S1-P01) which shows basement layout and section drawings, including details of the proposed contiguous pile retaining wall.
- 7.46. The basement is to be single-level, located toward the rear half of the site, and comprise services and staff space. A site survey is submitted which includes details of the cash & carry. The drawings show the basement located abutting the site boundaries. Whilst no demolition, construction or construction environment management plans were submitted by the applicant, the preliminary construction & demolition waste management plan submitted contained broader construction

management information. An outline construction traffic management plan was also submitted.

- 7.47. Condition 16(e) of the planning authority decision required agreement of construction and demolition management plans with the planning authority.
- 7.48. The appeal response includes a letter and drawings from the applicant's engineer which set out some additional details in this regard.
- 7.49. Whilst the sites are adjoining, and the proposed sub-surface works will abut the site boundary, having regard to the information submitted including the basement impact assessment and related drawings, I am satisfied there is no substantive reason to not grant planning permission in this regard, subject to attachment of standard conditions relating to construction and demolition management as set out above.
- 7.50. Regarding boundary treatments, the eastern wall of the existing building on the subject site forms the boundary between the two properties. With the exception of a section of green wall at this point, minimal details of proposed boundary treatments between the two sites are provided. As such I consider a condition should be attached for the agreement of boundary treatments around the site.

Climate Action

- 7.51. One appellant states demolition of the existing commercial building is not warranted, and that the application does not meet the requirements of the development plan in relation to demolition and embodied carbon.
- 7.52. The development plan (Section 15.7.1) requires consideration of the re-use of buildings proposed for demolition, and for a 'demolition justification report' to be submitted where demolition is proposed.
- 7.53. The application included a letter from the applicant engineer headed 'Justification to Demolish the Existing Building Structure' which had an attachment titled 'Demolition and New Build'. These set out a rationale on grounds of embodied energy, energy use, materials, structural safety, building systems, obsolescence, and environmental safety & sustainability. A preliminary construction & demolition waste management plan is also submitted which sets out details of reuse, recycling & recovery.
- 7.54. The appeal response includes a 'demolition justification' prepared by the applicant's engineer which sets out further details in this regard including details of low carbon

and sustainably sourced materials to be used in construction. It also states a sizeable proportion of existing materials are to be reused. (I note the response refers to an 'appeal response document' prepared by the applicant engineer which it states provides further information in this regard, however I find no such document on file).

- 7.55. I am satisfied with the justification and related documents provided and the proposals put forward meet the requirements of the development plan in this regard.

Archaeology & Heritage

- 7.56. Regarding archaeology and heritage, I note one appellant's points regarding the location of the site near two recorded monuments. I also note points made in the planning authority archaeology section report and Condition 18 attached by the planning authority for archaeological testing and monitoring on site.
- 7.57. An archaeological assessment report is submitted with the application. The report recommends mitigation in the form of archaeological monitoring.
- 7.58. The site is partly within the zones of archaeological interest for two recorded monuments (DU018-020 'Historic City' and DU018-020971 'Graveyard'). These relate to the historic core of Dublin City, and the ruins of St. Kevin's Church and graveyard located across Camden Row within St. Kevin's Park. The site is also in close proximity to DU018-020078 'Church', also related to St. Kevin's Church.
- 7.59. The Church ruins are also on the National Inventory of Architectural Heritage and are of regional significance. St. Kevin's Church (ruins & front gate) are also on the record of protected structures. The site is not within a conservation area.
- 7.60. The existing building is modern and occupies almost the entire site. It does not incorporate a basement. The proposal incorporates demolition of the existing building and construction of a basement. I note the provisions of the development plan in this regard, including Policy BHA26 in relation to basements and Section 15.15.8.1 in relation to archaeological mitigation. Given the foregoing, I am satisfied a standard condition for archaeological testing and monitoring is warranted.
- 7.61. I note the applicant appeal response requests the Board consider the merits of the development as originally proposed (that is, 7 storeys), and for the Board by way of condition to grant the scheme as originally submitted. I note points made in the

planning authority archaeology section in this regard. This matter was not appealed by the applicant and as such I consider it to be outside the scope of the appeal.

Access

- 7.62. For completeness I note that in response to further information the applicant removed the proposed second vehicle access from Camden Row. No on-site vehicle parking was proposed. The planning authority roads section recommend permission be granted subject to conditions. Condition 16 required omission of all vehicular accesses from Camden Row due to the limited space on the site, and for the provision of a loading bay or double yellow lines to the front of the site.
- 7.63. The public road outside the site is single lane width despite Camden Row being a 2-way road. There is parking either side of the road outside the site. The footpath network is incomplete at this point. Regarding parking, development plan indicates that the maximum car parking standards for hotels in Zone 1 is none. Given the location, the nature of the proposed hotel, and the transport facilities in the area I am satisfied with the proposed arrangement in this regard.
- 7.64. Given the nature of the proposed use, the restricted road network in the area, and the relatively small size of the site, I consider the omission of vehicular access to the site and improvement of the road outside the site as required by Conditions 4 and 16 is warranted.

Servicing

- 7.65. Regarding servicing, details for servicing are set out in the submitted servicing and mobility management plans, with additional details in the operational waste management plan. The plans state service access would be from Camden Row only with the southern laneway (off Pleasant's Place) not utilised for vehicular access under regular circumstances. They state the laneway will be used for vehicle access for emergencies, ESB sub-station access, and manual moving of goods and refuse bins. They also state the existing arrangement along Camden Row will be enhanced with a lay-by created.
- 7.66. The planning authority roads section required omission of vehicular access from Camden Row and the provision of a loading bay or double yellow lines (Condition 16) due to the restricted nature the road along Camden Row. Given that a lay-by will be provided, and that there is scope for vehicular access to the site from the rear by

Pleasant's Street, and given the narrow width of the road network, I am satisfied this condition is required and that appropriate servicing arrangements can be provided subject to a condition for agreement of a revised service management plan.

- 7.67. Condition 19 required compliance with the planning authority transportation section codes of practice. I am satisfied these provisions can be addressed by a simplified condition.

Drainage

- 7.68. The planning authority drainage section stated no objection subject to conditions in relation to codes of practice; separation of foul & water systems; incorporation of sustainable urban drainage systems; surface water attenuation details; and related drainage details (Conditions 17 & 19).
- 7.69. The existing site is covered almost entirely in hardstanding and is served by mains supply and drainage. The proposal incorporates 3 no. grassed areas (for completeness I note two would be above the basement).
- 7.70. Engineering drawings, and an engineering and water services report were submitted. The drawings show a sedum green/blue roof proposed for almost the entire roof with a maximum controlled discharge of 1.1ls. A section of blue roof (94sqm) was also proposed with a controlled discharge rate of 0.2ls. The landscape plan shows the remaining ground floor is proposed to be a mix of permeable paving, reinforced grass and landscaping. Attenuation volumes have been calculated to deal with a 1:100-year storm event with a 20% allowance for climate change. I am satisfied the proposal will cater for and improve the sustainable drainage of the site and generally meet the requirements of the development plan in this regard.
- 7.71. A confirmation of feasibility from *Uisce Eireann* is submitted which states connection is generally feasible for water and wastewater without upgrades. Given its scale and location, I am satisfied water supply and foul drainage capacity will exist to cater for the development.
- 7.72. I am satisfied with the proposal in this regard subject to a standard condition relating to the agreement of details in this regard.

Material contravention

7.73. One appellant states the proposal would materially contravene the development plan, however no specific provision is identified. I have reviewed all of the information on file and note the proposed plot ratio would be above the indicative range. I also note the development plan provides grounds for plot ratio to exceed the indicative levels, which the applicant references and sets out grounds for this provision to be applied. Whilst I do not concur with the applicant's characterisation that the proposal is 'slightly above' the indicative plot ratio levels, however I am satisfied with the information submitted and do not consider the proposed plot ratio constitutes a material contravention of the development plan.

Procedure

7.74. I note one appellant's point that details of noise, odour and ventilation; service management plans and bin storage should be made available prior to permission being granted. I note the other appellant states that no agreement in relation to construction have been reached. I am satisfied no further correspondence with the parties is required.

Contributions

7.75. I note the submission from TII, and Conditions 2 and 3 of the planning authority decision. Conditions relating to Section 48 and 49 Contributions are required.

8.0 Appropriate Assessment screening

8.1. I have considered the proposed student accommodation development in light of the requirements of Section 177U of the Planning & Development Act 2000 as amended. The subject site is not located within or adjacent any European Site designated SAC or SPA. The closest European sites, part of the Natura 2000 Network, are the South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC located c.3.6km from the proposed development. The proposed development is located in an urban area and comprises a hotel. No significant nature conservation concerns were raised as part of the appeal. Having considered the nature, scale and location of the development I am satisfied it can be eliminated from further assessment as there is no conceivable risk to any European Site. The reason for this conclusion is the nature of the site and its location in an urban area, served by mains drainage, the distance to any European Sites, and the urban nature of intervening habitats and

absence of ecological pathways to any European Site. 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. I recommend permission be **Granted** subject to conditions as set out below.

10.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, including the Z4 land use zoning objective for the area and to Policy CEE28 'Visitor Accommodation', and having regard to the scale, height, form, and design of the proposed hotel development, and to the pattern of development in the area including protected structures, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for and improve mixed-services facilities, and would not seriously injure the character and amenities of the area or of property in the vicinity. The proposed development would, therefore, accord with the proper planning and sustainable development of the area.

11.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 7 th November 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	No works outside the red line area are permitted as part of this permission.

	Reason: In the interest of clarity.
3.	<p>The following shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development:</p> <p>(a) Details of the materials, colours and textures of all the external finishes to the proposed building;</p> <p>(b) Details of proposed window screening / louvres for hotel bedroom windows;</p> <p>(c) Details of hotel signage;</p> <p>(d) Details of boundary treatments.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
4.	<p>No amplified music or other specific entertainment noise emissions shall be permitted within the outdoor areas of the hotel.</p> <p>Reason: To protect the residential amenities of property in the vicinity.</p>
5.	<p>The developer shall control odour emissions from the premises in accordance with measures including extract duct details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of public health and to protect the amenities of the area.</p>
6.	<p>A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.</p> <p>Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.</p>
7.	<p>The following shall be complied with:</p> <p>(a) No vehicular access to the hotel site from Camden Row is permitted. Prior to commencement of development, the applicant shall submit for the agreement of</p>

	<p>the planning authority drawings detailing a revised front boundary which omits the vehicular access and new front boundary treatments;</p> <p>(b) Prior to the commencement of development, the applicant shall submit for the written agreement of the planning authority all works proposed on the public road including changes to the footpath and the provision of a loading bay or double yellow lines to the front of the site on Camden Row. All works to the public road shall be at the applicant/developer's own expense. All works shall be fully completed prior to occupation of the development;</p> <p>(c) Prior to the commencement of the development, the applicant shall submit for the written agreement of the planning authority revised plans that improves and increase the size of the cycle parking store for staff use. The revised plans shall demonstrate the ability to park and manoeuvre a minimum of 10 no. bicycles, detail design and type of cycle parking, and the necessary aisle width and spacing;</p> <p>(d) The service operator of the development shall undertake to implement the measures outlined in the Mobility Management Plan (MMP) submitted to the planning authority on 7th November 2023 as part of the applicant's response to further information. A Mobility Manager shall be appointed to ensure future employees/patrons comply with objectives and targets set out the plan.</p> <p>Reason: In the interests of sustainable transport and safety.</p>
8.	<p>The following shall be complied with:</p> <p>(a) The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>(b) All foul sewage and soiled water shall be discharged to the public foul sewer.</p> <p>(c) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.</p> <p>Reason: In the interest of public health.</p>

9.	<p>The following shall be complied with:</p> <p>(a) The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>REASON: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p> <p>(b) All mitigation measures in relation to archaeology and cultural heritage as set out in the Archaeological Assessment report prepared by IAC Archaeology included in the application documents submitted to the planning authority on 2nd June 2023 shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this permission. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated</p>
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	<p>archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest</p>
10.	<p>The following shall be complied with:</p> <p>(a) Prior to the commencement of development, a Demolition Management Plan and Demolition Waste Management Plan shall be submitted for the written agreement of the planning authority. This plan shall be implemented in full during the course of demolition and construction of the development;</p> <p>(b) Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, construction traffic, and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and amenity.</p>
11.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.</p>

12.	<p>The developer shall pay to the planning authority a financial contribution in respect of Luas Cross City St. Stephen's Green to Broombridge Line in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.</p>
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-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.-

D. Aspell
Inspector
23rd January 2025

APPENDIX 1

Form 1

EIA Pre-Screening [EIAR not submitted]

An Bord Pleanála Case Reference	ABP-318805-24		
Proposed Development Summary	Demolition of building, construction of 7 storey hotel with all associated site works.		
Development Address	12 Camden Row, Saint Kevin's, 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	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		Class.....	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)
No			No EIAR or Preliminary Examination required
Yes	X	Class/Threshold.....	Proceed to Q.4
4. Has Schedule 7A information been submitted?			
No		Preliminary Examination required	
Yes	X	Screening Determination required	

Inspector: _____

Date: __ 22nd January 2025__

Form 3
EIA Screening Determination

A. CASE DETAILS			
An Bord Pleanála Case Reference	ABP-318805-24		
Development Summary	Demolition of building, construction of 7 storey hotel with all associated site works.		
	Yes / No / N/A	Comment (if relevant)	
1. Was a Screening Determination carried out by the PA?	Yes	-	
2. Has Schedule 7A information been submitted?	Yes	-	
3. Has an AA screening report or NIS been submitted?	Yes	AA Screening only.	
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	-	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	No.	I note the SEA of the Dublin City Development Plan.	
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	Project comprises a 6 storey hotel building. Commercial buildings of 2 to 6 storeys are adjacent.	Project not likely to result in significant effects on the environment in this regard.

		The building height was reduced by 1 storey during the course of the application.	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	No	Site is Brownfield in an urban area. Site comprises an existing commercial building which will be replaced by a hotel.	Project not likely to result in significant effects on the environment in this regard.
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	No	Project is located on an urban site and will utilise the site efficiently, however otherwise non-renewable resources or those in short supply will not be used.	Project not likely to result in significant effects on the environment in this regard.
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No	Project comprises a hotel. No such substances are recorded on the site. The existing commercial building will be demolished, and no such substances have been identified in the preliminary construction & demolition waste management plan.	Project not likely to result in significant effects on the environment in this regard.
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	Hotel waste only will be stored temporarily on site. The proposed restaurant would produce odours only. No solid waste, pollutants or hazardous / toxic / noxious substances will be produced including from demolition.	Project not likely to result in significant effects on the environment in this regard.
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface	No	Proposal comprises a hotel. No contamination on site has been identified.	Project not likely to result in significant effects on the environment in this regard.

waters, groundwater, coastal waters or the sea?		No such impacts have been identified in the submitted documentation including preliminary construction & demolition waste management plan. Mitigation in the form of a construction management plan is conditioned.	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	No	Some noise arising from the hotel and restaurant extraction may arise however this would be localised and minor in nature. Noise management conditions are recommended.	Project not likely to result in significant effects on the environment in this regard.
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	The scale and nature of the proposed hotel will not give rise to significant risks to human health. The restaurant will give rise to minor odour only. The submitted construction and environment management plan identifies not significant issues in this regard. A construction management plan is required to be submitted prior to commencement.	Project not likely to result in significant effects on the environment in this regard.
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No.	The nature and scale of the hotel incorporates no components or substances which would present any risk of major accidents.	Project not likely to result in significant effects on the environment in this regard.

1.10 Will the project affect the social environment (population, employment)	No.	The project comprises a hotel in a commercial area, which will provide hotel and gallery facilities in the area. Conditions relating to noise management are recommended.	Project not likely to result in significant effects on the environment in this regard.
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No.	The site is standalone in a surrounding urban area which predominantly comprises long established urban development.	Project not likely to result in significant effects on the environment in this regard.
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: European site (SAC/ SPA/ pSAC/ pSPA) NHA/ pNHA Designated Nature Reserve Designated refuge for flora or fauna Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan.	No.	No site specific natural or environmental policy designation relates to the site. The closest European Sites are South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC are c.3.6km east.	Project not likely to result in significant effects on the environment in this regard.
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	No	The site comprises a commercial premises in a settled urban area. No such species were identified in the documentation on file. Localised mitigation measures in the form of construction management are proposed.	Project not likely to result in significant effects on the environment in this regard.

2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	The site comprises a modern-era commercial premises in an urban area. Neighbouring protected structures, or their character and setting, are not likely to be affected. The site is within the notification zones for 2 no. recorded monuments. No works to these monuments are proposed, however archaeological mitigation is proposed in the form of construction management.	Project not likely to result in significant effects on the environment in this regard.
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	Project site is a commercial premises and is within a settled urban area.	Project not likely to result in significant effects on the environment in this regard.
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No.	The Poddle River is the nearest waterbody and is over 600m away. The project will drain to mains drainage networks and through proposed sustainable urban drainage systems within the site.	Project not likely to result in significant effects on the environment in this regard.
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	Site comprises a commercial building in a settled urban area. The basement impact assessment identified no such potential issues.	Project not likely to result in significant effects on the environment in this regard.

2.7 Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	There are no key transport routes on or around the site.	Project not likely to result in significant effects on the environment in this regard.
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	No such uses are identified in the area. No significant impacts from the project in this regard are considered likely due to its nature and scale.	Project not likely to result in significant effects on the environment in this regard.
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	The scale, nature and extent of the project, the settled urban location, and lack of neighbouring projects identified make cumulative effects unlikely.	Project not likely to result in significant effects on the environment in this regard.
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	The scale, nature and location of the site within Dublin City make transboundary effects unlikely.	Project not likely to result in significant effects on the environment in this regard.
3.3 Are there any other relevant considerations?	No	No.	Project not likely to result in significant effects on the environment in this regard.
C. CONCLUSION			
No real likelihood of significant effects on the environment.	X	EIAR Not Required	
Real likelihood of significant effects on the environment.	-	EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
Having regard to: -			
1. the criteria set out in Schedules 7 and 7A, in particular			

(a) the limited nature and scale of the proposed hotel development, in an established urban area served by public infrastructure

(b) the absence of any significant environmental sensitivity in the vicinity,

(c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)

2. the results of other relevant assessments of the effects on the environment submitted by the applicant

3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, and in particular the proposal to preserve in situ known archaeological features,

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector _____

Date _22/01/2025_____

Approved (DP/ADP) _____

Date _____