



An
Bord
Pleanála

Inspector's Report ABP-319472-24

Development

Amendments to hotel permitted under Planning Authority Reg. Ref. 2915/20 / An Bord Pleanála Ref. ABP-309466-21, and all associated site works.

Location

36 Bride Street, Dublin 8 D08 AX62 and Molyneux House, 67-69 Bride Street, Dublin 8 D08 C8CN

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

3100/24

Applicant

Dublin St. Patricks Properties B.V.

Type of Application

Permission

Planning Authority Decision

Grant permission

Type of Appeal

Third Party

Appellants

John Donovan and Anne Lynott
Donovan
Brendan O'Sullivan
Tom and Tina Donohue

Observers

Shelagh Brady and Kevin Tobin
John Kelleher and Amanda Scales
Adelaide Court Management CLG
Adelaide Court Management No. 2
CLG

Date of Site Inspection

18th March 2025

Inspector

John Duffy

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1.0 Site Location and Description

- 1.1. The appeal site is located at the corner of Bride Street and Peter Street in Dublin 8, approximately 500 m to the west of St. Stephen's Green. The site has a stated total area of 1.981 ha and formerly comprised Molyneux House and an adjacent derelict single storey warehouse building. Molyneux House which was 4 storeys in height formerly occupied 67-69 Bride Street and it comprised a former and much altered chapel. Its most recent use was as an Architect's office, Stephenson Gibney & Associates, and the front façade was altered with the introduction of a brutalist style façade in the 1970s.
- 1.2. The hotel development permitted on the site in 2022 under An Bord Pleanála Ref. ABP-309466-21 / Planning Authority Ref. 3100/24, allowed for demolition of existing structures including the remaining external walls and roof of Molyneux Chapel and the construction of a 247 room hotel comprising a part 4-storey, part 5 storey block facing Bride Street and a 9 storey block at 36 Bride Street and Molyneaux House, 67-69 Bride Street, Dublin 8. This development is well underway and is at an advanced stage of construction.
- 1.3. To the north and east, the primary use is residential, with developments comprising the Adelaide Square apartment complex to the east, which rises to 7 and 8 storeys, and the 2 and 3 storey residential properties along John Field Road. Opposite the site at the western side of Bride Street is the four storey Cannon Court building with St. Patrick's Cathedral beyond. St. Patrick's Park is located to the north of the Cathedral. Kevin Street Garda Station lies to the west of Bride Street, and to the south-west of the appeal site. The National Archives and buildings associated with TU Dublin are located to the south of Peter Street.

2.0 Proposed Development

- 2.1 The proposed development consists of amendments to planning application / appeal Reg. Ref. No. 2915/20 and An Bord Pleanála Ref. ABP-309466-21 which permitted the construction of a 247 room hotel comprising a part 4-storey, part 5 storey block facing Bride Street and a 9 storey block and associated site development works on a c 0.1918 ha site at 36 Bride Street and Molyneaux House, 67-69 Bride Street, Dublin 8.

- 2.2 The application documentation notes that the proposed amendments to the scheme are designed to overcome design challenges identified following the commencement of groundworks.
- 2.3 The planning application, the subject of this appeal, proposes the following modifications:

Basement level

- Reduction in basement plant area of c 28.3 sqm.

Ground floor level

- Landscaping amendments within the northern external terrace comprising changes to planters and trees, rearrangement of bicycle spaces and change in paving finishes / materiality.
- A previously proposed void space at the northern part of the site to be used as a plant area (43.10 sqm). This area will be internal.
- Change in shape of rear wall from ground level to level 8, resulting in a reduction of floor area by 3.87 sqm at ground floor level, and an increase in floor area of 0.59 sqm at first to fifth floor levels.
- Changes to entrance / exit doors on all elevations.
- Installation of external lighting.
- New sign over main entrance box (Bride Street elevation).
- Replacement of permitted external gates with a double vehicular gate containing single pedestrian gate within it (Bride Street elevation).
- Update of Stephenson façade on drawings to accurately depict what is retained on site following the completion of an updated survey from ground to fifth floor levels.

First floor level

- Increase in plant area of c 16 sqm at roof level, located near the eastern boundary. The parapet level of the screening to the plant will increase in height by 0.2 m.
- Removal of a skylight.

Second floor level

- Addition of steps to the retained Stephenson Room.

Third floor level

- Amendments to glazed roof at the western part of the site comprising change in pitch angle and panels above link bridge changed to opaque glazing.

Fourth floor level

- Increase in floor area of 3.8 sqm arising from the stepping out of the building line at northern part of the site.

Fifth floor level

- Building line at northern side steps out (no floor area change).
- Additional plant equipment on roof to the south-east corner of the southern block.

Sixth floor level

- Additional plant equipment on roof to the south-eastern side of the hotel building.
- Change in position of external door.

Eight floor roof level

- Increase in size of plant area by 4.08 sqm.

John Field Road Elevation (2-2)

- Changes to fritting on glazed curtain walling comprising the removal of fritting to the upper section panel.
- Partial material change from brick to grey Sto render at 7th and 8th floor.

Peter Street Elevation

- Window fritting changes comprising vertical frosted sections added to panels.
- Directional change of brickwork from vertical to horizontal.

- At third to fifth floor levels: change of poem wording and change in material from brick to bronze lettering.

Rear Elevation (5-5)

- Partial material change from brick to grey Sto render at ground to 8th floor level.
- Level change for plant screen and parapet from +20.04 to +20.24.

Northern Block Elevation

- Changes to fritting on glazed curtain walling comprising the removal of fritting to the upper section panel.
- Inclusion of artwork on the rear of the Stephenson Façade.

Southern Block Elevation (7-7)

- Partial material change from brickwork to grey Sto render at 1st to 8th floors.
- Changes to fritting on glazed curtain walling comprising the removal of fritting from the upper section of panel and addition of vertical frosted sections to panels.
- Directional change to brickwork from vertical to horizontal.

Rear of retained Stephenson façade

- Addition of artwork from ground to 3rd floor level.

2.4 In addition to standard plans and particulars, the planning application is accompanied by supporting documentation as follows:

- Planning Report
- Summary of alterations from ALTU Architects
- Façade Artwork document
- Façade Artwork Proposal

2.5 It was apparent at the site visit that the hotel development is at an advanced stage of construction and that some works for which planning permission is sought in the planning application, which is the subject of this appeal, have commenced or have been implemented. In this regard, I noticed the change of poem wording and change

in material from brick to bronze lettering on the Peter Street elevation, and window fritting changes on this elevation.

3.0 Planning Authority Decision

3.1.1 Decision

On the 21st of March 2024 Dublin City Council granted permission for the proposed development subject to 8 conditions. The following conditions are noteworthy:

Condition 2 relates to a section 48 contribution condition.

Condition 3 relates to a development contribution in respect of the Luas Cross City Scheme.

Condition 4 requires the terms and conditions of the permission for the original development permitted under Reg. Ref. 2915/20 and ABP Ref. 309466-21 to be fully complied with.

Condition 5 requires, in the interest of visual amenity that (a) the render to the northern elevation of the southern block (as illustrated on Elevations 2-2 and 7-7) to be limited to the first and second floor levels with brick finish to be provided to the third to eight floor levels above and (b) the render to the rear elevation (as illustrated on Elevation 5-5) to be limited to the ground and first floor levels with brick finish to be provided to the third to eight floor levels above.

Condition 6 requires, inter alia, that before the permitted use commences, schemes relating to (a) air pollution control measures and (b) noise pollution control measures shall be submitted and approved in writing by the planning authority.

3.1.2. Planning Authority Reports

Planning Report

The report of the area planner outlines, inter alia, the nature of the proposal, relevant Development Plan policy, reports received and the planning history of the site. It notes that the proposed development would not increase the overall height of the permitted

development as it generally relates to minor stepping out of building lines and provision of additional plant areas. It considers that the proposal does not significantly alter the scale, height or massing of the permitted development.

In terms of the proposed additional plant, no significant impact on the residential amenities of neighbouring properties by way of reducing daylight / sunlight are foreseen. Noting the proposed amendments to material finishes comprising change of brick finish to Sto render, it is considered that the northern elevation at 7th and 8th floor levels will be visible from street level and, given the prominence of the site and scale / height of the development, the brick finish to the elevations visible from the streetscape should be retained.

The applicant's proposals for artwork at the southern elevation is deemed to be appropriate. Similarly the proposal for the Stephenson façade comprising a portrait of Oscar Wilde and other contemporary Irish figures is acceptable.

3.1.3 Other Technical Reports

City Archaeologist: Notes that the site is located within the zone of archaeological constraint for the recorded monument DU018-020 (Historic City). Inclusion of condition 3 of previous grant of permission is recommended.

Transportation Planning: Changes made to gates are acceptable. Increase in bicycle parking is welcomed. No objection to the proposal subject to conditions.

Drainage Division: No objection subject to compliance with all conditions relating to surface water management of previous grant of permission.

3.1.4 Prescribed Bodies Reports

The planning authority invited the Department of Housing, Local Government and Heritage, Uisce Éireann, Transport Infrastructure Ireland (TII) and the National Transport Authority (NTA) to comment on the proposal. No submissions from these bodies were received other than a submission from TII noting that the site falls within an area set out in a Section 49 Levy scheme for Light Rail. The submission requests inclusion of a Section 49 contribution condition should permission be granted.

3.1.5 Third Party Objections/ Observations

Several third party objections or observations were received by the planning authority in relation to the planning application. Matters raised are broadly similar to those raised in the third party appeals and the observations made in respect of the appeals, which are summarised in Section 6 of this report.

4.0 Planning History

Appeal site

An Bord Pleanála Ref. ABP-309466-21 / Planning Authority Ref. 3100/24 refers to a January 2022 decision to grant permission for demolition of existing structures including a 2/4/5 storey office building and remaining external walls and roof of Molyneux Chapel and the construction of a 247 room hotel comprising a part 4-storey, part 5 storey block facing Bride Street and a 9 storey block and associated site development works on a c 0.1918 ha site at 36 Bride Street and Molyneux House, 67-69 Bride Street, Dublin 8. The proposal involved the retention of the remodelled Molyneux Chapel and the asymmetrical brutalist façade, grafted to the church in the 1970s, and its repurposing as an art space, to link the Molyneux House site history with the redevelopment of the site.

Relevant conditions:

4. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

6. All plant including extract ventilation systems and refrigerator condenser units shall be sited in a manner so as not to cause nuisance at sensitive locations due to odour or noise. All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators to ensure that noise levels do not pose a nuisance at noise sensitive locations.

Reason: In the interest of residential amenity.

19. Details of the fritted glazing to be applied to windows facing John Field and Adelaide Square shall be submitted to, and agreed in writing with, the planning authority, prior to first operation of the hotel. The glazing shall be installed as approved and retained thereafter.

Reason: In the interests of neighbouring amenity.

20. Prior to the commencement of development, a scheme for the commissioning of artwork to be installed as part of the development, including timescales, shall be submitted to and agreed in writing by the Planning Authority.

Reason: In the interest of cultural development.

Planning Authority Ref. 2310/09 refers to an April 2009 grant of permission for the provision of illuminated signage at Molyneux House.

Planning Authority Ref. 5684/04 refers to a February 2005 grant of retention permission for a one storey high, 14.4m long 1.8m deep conservatory with a sloping glass roof on the north façade of Molyneux House.

Planning Authority Ref. 0637/01 refers to an August 2001 grant of permission for a 5-storey extension to the rear and side of Molyneux House including associated internal alterations and relocated entrance plus a basement car park for 13 cars to be accessed from the basement of Adelaide Square at the rear.

5.0 Policy and Context

5.1 Development Plan

The appeal site is zoned Z5 – City Centre on Zoning Map E of the Dublin City Development Plan 2022-2028, with the stated zoning objective as follows: ‘To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.’ The site zoning has not changed since the parent permission (An Bord Pleanála Ref. ABP-309466-21 / Planning Authority Ref. 3100/24) was granted in 2022.

The subject site adjoins the red-hatched Conservation Area which pertains to St. Patrick's Cathedral and adjoining areas.

The appeal site is located within the zone of archaeological constraint for the recorded monument DU018-020 (Historic City).

5.1.1 The provisions of the Dublin City Development Plan 2022-2028 relevant to this assessment are as follows:

Chapter 4 – Shape and Structure of the City

Policy SC1 Consolidation of the Inner City

To consolidate and enhance the inner city, promote compact growth and maximise opportunities provided by existing and proposed public transport by linking the critical mass of existing and emerging communities such as Docklands, Heuston Quarter, Grangegorman, Stoneybatter, Smithfield, the Liberties, the North East Inner City and the south and north Georgian cores with each other, and to other regeneration areas.

Policy SC2 City's Character

To develop the city's character by:

- cherishing and enhancing Dublin's renowned streets, civic spaces and squares;
- developing a sustainable network of safe, clean, attractive streets, pedestrian routes and large pedestrian zones lanes and cycleways in order to make the city more coherent and navigable and creating further new streets as part of the public realm when the opportunities arise;
- protecting the grain, scale and vitality of city streets and encouraging the development of appropriate and sustainable building heights to ensure efficient use of resources, services and public transport infrastructure and that protects the heritage and natural assets of the city;
- revitalising the north and south Georgian squares and their environs and realising their residential potential;
- upgrading Dame Street/College Green as part of the Grand Civic Spine;
- promoting the development of Moore Street and the Parnell Quarter as major new cultural and historical attractions for the city.

Chapter 6 - City Economy and Enterprise

Policy 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.

Policy 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

Chapter 15 – Development Standards

- Section 15.14.1 relates to Hotels and Aparthotels
- Section 15.14.1.1 relates to Hotel Development

5.2 National Policy / Guidance

The **National Planning Framework** (NPF) is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. It contains several policy objectives that articulate the delivery of compact urban growth as follows:

- NPO 5 aims to develop towns and cities of scale and quality to compete internationally and drive national and regional growth;
- NPO 6 aims to regenerate cities with increased housing and employment;
- NPO 11 outlines a presumption in favour of development that can encourage more people and generate more jobs/activity within existing settlements;
- NPO 13 promotes a shift towards performance criteria in terms of standards for building height and car parking.

5.3 Natural Heritage Designations

The proposed development is not located within or immediately adjacent to any European site. The nearest European site is South Dublin Bay SAC (Site Code 00210) and the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024), located approximately 3.7 km to the east.

5.4 EIA Screening

See completed Forms 1 and 2 below. Having regard to the nature of the proposed development comprising modifications / alterations to a permitted hotel development to comprise, inter alia, an increased floor area of c 100 sqm, revisions to plant areas,

addition of plant, use of revised materials, landscaping changes and minor changes to building lines on a brownfield site, in the city centre and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeals

6.1 Grounds of Appeal

Three third party appeals are submitted in respect of the decision made by Dublin City Council to grant permission for the proposed development from residents of the adjoining Adelaide Square Apartments, Whitefriars Street, Dublin 8, as follows:

- John Donovan and Anne Lynott Donovan, No. 105 Adelaide Square.
- Brendan O' Sullivan, No. 134 Adelaide Square.
- Tom and Tina Donohoe, No. 92 Adelaide Square.

The grounds of appeal may be summarised under the following headings as set out below:

Visual impact

- Relocation of plant from basement to roof level will result in a proliferation of unnecessary clutter at roof level, leading to a negative visual impact on the visual amenity of the roofscape and reducing the quality of life for residents of the adjoining apartment development.
- The relocation of plant is unjustified and would adversely impact the city skyline.

Noise and odour impacts

- Noise and odours will arise from extensive agglomeration of plant at roof level. This will severely impact residents given proximity of plant to apartment windows, which are the primary means of ventilation for apartments.
- Acknowledge that condition 6(a) aims to control fumes and odours, however the impact of fumes and odours can be subjective and difficult to assess. As a result this condition is difficult to enforce.

- In terms of condition 6(b) relating to noise pollution, the BS4142 standard noted therein is limited in scope, focussing on overall impacts on the community rather than on specific effects on individuals.
- Dispersal of extracted air into courtyard area is concerning. Alleviation methods such as baffles and carbon filters are limited in mitigating strong cooking odours and foul air from toilets.
- The conditions attached to the permission relating to noise and odours lack clarity, are subjective and not measurable.
- Allowing plant near apartments would render them uninhabitable due to noise disturbance and unpleasant odours, and would lead to decreased quality of life and potential health issues.
- Plant should be enclosed at basement level. Sound insulation / noise attenuation measures are incapable of eliminating noise from rooftop plant.
- Extracted air should be ducted onto the roof of the tower and plant be located at that level to allow the dispersal of noise and odours by the wind, which would mitigate impacts on residents.

Other

- If planning conditions are breached, pursuing legal action / lodging complaints may be financially prohibitive for many residents. It will be virtually impossible for residents to address noise / odour issues when the hotel becomes operational.
- There is no effective redress for residents if conditions are breached.
- The proposed changes comprising the relocation of plant are unnecessary and facilitate the basement area to be used for alternative economic uses.
- The proposed development is unwarranted and not in accordance with Tables 3 and 4 of Appendix 3 of the City Development Plan relating respectively to performance criteria in assessing height, density and scale and performance criteria for assessing landmark / tall buildings.
- Condition 8(a) of the planning authority's decision stipulates that working hours may commence an hour earlier than those permitted in the Board's decision

relating to the original application. It is requested that working hours align with the Board's decision.

6.2 Planning Authority Response

The planning authority request that the decision to grant permission is upheld. If permission is granted, inclusion of Section 48 and 49 contribution conditions are requested.

6.3 Applicant Response

6.3.1 Avison Young Planning and Regeneration Ltd. has responded to the grounds of appeal on behalf of the applicant. Appendix I of the submission includes copies of the appeals and associated attachments, in addition to copies of the Board correspondence to the applicant enclosing the appeals for comment. This applicant's response may be summarised under the following headings:

Plant Relocation

- An assumption has been made that plant is to be relocated from either the basement or elsewhere in the building to roof level; this is factually incorrect.
- The plant areas at basement level and roof levels including plant screening were permitted by the parent permission. Each of the proposed plant-related amendments are required due to the building's mechanical and electrical (M&E) scheme being finalised.
- The majority of the alterations to the plant area will remain within the lower floors from basement level to first floor and are largely internal.
- All external plant areas that are to be enlarged are screened areas that were permitted under the parent permission
- Any additional plant proposed comprises ducting that is unobtrusive and would not significantly alter the building's appearance so as to create a visual issue for neighbouring residents. The ducting will not be noise or odour generating.
- Proposed ducting at the north-western corner of the 5th floor is on the opposite side of the hotel building to the Adelaide Square apartments. As such it would not cause any detrimental impacts on residential amenity.

- In terms of potential plant noise, condition 13 of the parent permission addressed the operation and running of plant equipment. This condition was transposed within the amendment application's permission at condition 6.
- While reference is made in the appeal lodged on behalf of John and Anne Donovan that BS4142 is out-dated, this is the appellant's opinion and no factual evidence is provided. The planning authority's determination to include such a condition is the industry standard for controlling noise levels.
- The conditions included in the parent permission and the subject application address the concerns raised, with appropriate measures to be implemented to monitor and limit noise impacts.

Impact on visual amenity

- Reference made to conditions 5 (a) and (b) restricting the render finish to lower floors, and brickwork to be retained from third to eight floor level. The applicant proposes to comply with these conditions and as such it is considered that concern relating to visual impact is addressed.

Other issue

- In terms of condition 8 (a) which relates to daily construction starting and finishing times, it is requested that this condition is retained with the earlier commencement time of 7 am as this is the standard industry time to commence construction work.

6.4 Observations

Four observations are submitted as follows:

- Shelagh Brady and Kevin Tobin of 61 Adelaide Square, Dublin 8, care of Katharine Maurer, Blackpitts, Dublin 8.
- John Kelleher and Amanda Scales of 27 Alexandra Walk, Dublin 8.
- Adelaide Court Management No. 2 CLG, 30-31 King Street South, Dublin 2.
- Adelaide Court Management CLG, Adelaide Square, Dublin 8.

Issues raised are similar to the third party grounds of appeal and may be summarised under the headings below:

Visual Impact

- Brick finish should be retained throughout as per the parent permission. Residents of the ground floor to the fourth floor and users of the external courtyard will have a view of the proposed sto render.
- Sto render is inferior to brick, and is less durable, and therefore reduces the quality of the development as well as its visual appearance.
- Visual amenity enjoyed by Adelaide Square residents should not be secondary to the amenity enjoyed within the public realm.
- The use of render in the Adelaide Square development has resulted in discolouration and degradation of the surface which is unsightly and expensive to rectify. No assessment has been undertaken in terms of the effect of the proposed amended finishes when viewed from the Adelaide Square development.
- Relocation of plant to the roof would be unsightly and have a detrimental impact on the skyline, particularly in this architecturally important area.

Residential amenity / Noise and odour impacts

- The external courtyard garden of the Adelaide Square complex will be impacted by the proposed alteration to the elevational treatment to the rear of the development and any noise, fumes and odours emanating from the proposed alterations to the locations of plant on the roof.
- Concerns raised regarding the possible accumulation of odours and fumes due to the location of the proposed plant and the enclosed nature of the courtyard after the development is constructed.
- While condition 6 requires that a pre-commencement scheme for the effective control of fumes and odours be submitted to the planning authority for agreement, no residents will be able to comment on or make submissions on any such

scheme. This condition is insufficient to address potential noise and odour impacts from the proposed development.

- Condition 6 should be extended to require full modelling and analysis of the plant.
- Conditions attached relating to the relocation of plant are vague and would be difficult to enforce.
- In the absence of in-depth modelling and analysis, the potential impact of noise, fumes, odours and foul air emitted by the proposed relocated plant cannot be judged.
- Concern that cumulative changes proposed to the window fitting may impact on the receiving environment in terms of overlooking impacts.
- No breakdown of the increased floor area is provided.
- Concern that the extent of the green roof as per submitted compliance documents will be reduced by the location of additional plant on the fifth floor plan.

Other

- Observations generally concur with and support the submitted grounds of appeal.
- Health and welfare of residents due to sleep disturbance and the impairment of air quality indoors and outdoors would be seriously affected.
- Proposed changes are material.
- The submitted documentation do not appear to contain sufficient information to assess the impact of the proposed amendments, due to discrepancies, omissions and conflicting information.
- The extension of the plant area at first floor level and associated revised screening may adversely affect some of the hotel rooms. Changes to the widths of the bedroom sizes and layouts suggest some are minimal and will be difficult to service.

The observation submitted on behalf of Shelagh Brady and Kevin Tobin includes a copy of a submission made on their behalf to the planning authority by John Bird, Town Planner. This submission may be summarised as follows:

- The proposed changes in material finishes would adversely affect the visual and residential amenity of residents in Adelaide Square.
- Details of plant to be provided at different levels, noise generation and emissions and mitigation measures are not provided.
- Since the parent decision was made new EU Guidelines and BRE interpretations of sunlight and daylight standards have been introduced and should be applied in the assessment of this planning application.
- Baseline studies of ambient noise levels should be obtained as a basis for projected noise levels for ongoing monitoring / enforcement purposes.

7.0 Assessment

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

- Land-use and nature of proposed development
- Visual impact
- Impacts on residential amenity
- Other issues
- Matters Arising
- Appropriate Assessment Screening

7.1 Land-use and nature of proposed development

- 7.1.1 The appeal site is zoned Z5 – City Centre in the Dublin City Development Plan 2022-2028, with the stated zoning objective as follows: ‘To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.’ I note the site zoning has not changed since the parent permission (An Bord Pleanála Ref. ABP-309466-21 / Planning Authority Ref. 3100/24) was granted in 2022. Furthermore, the proposed development is not introducing any new use on the subject site.
- 7.1.2 Section 14.7.5 of the City Plan notes that the strategy of the City Centre use zone is to provide a dynamic mix of uses, interacting with each other, creating a sense of community, and sustaining the vitality of the inner city both by day and night.
- 7.1.3 The proposed development relates to modifications to a permitted 247 bedroom hotel permitted under the parent permission, comprising, inter alia, an increased floor area of c 100 sqm, revisions to plant areas, addition of plant, use of revised external materials, landscaping changes and minor changes to building lines. Having regard to the location of the appeal site within an inner urban area, the applicable Z5 zoning and given that the site has the benefit of a previous permission for this hotel development, it is considered that the proposed amendments to that permission are acceptable in principle.

7.2 Visual Impact

- 7.2.1 Concerns are raised in the submitted appeals and observations that the relocation of plant to roof level would cause visual clutter and, also, that proposed changes to external material finishes, specifically the replacement of brickwork with render, would negatively impact on the visual amenity of the area, and enjoyed by residents of the adjoining Adelaide Square apartment development. These matters are assessed under relevant headings below.

Additional roof level plant

- 7.2.2 The planning application proposes amendments to four roof top plant areas which were permitted as part of the parent application.

- 7.2.3 At first floor level it is proposed that the plant area increases by c 16 sqm. The plant will be enclosed by the screening permitted in the parent permission, and as such, it will be contained and will not be visible from street level.
- 7.2.4 The applicant's response to the appeals provides more detail on the nature of the additional plant proposed at fifth floor level. The proposed amendment relates to the redesign of exposed ductwork following finalisation of the M&E scheme. The ductwork is stated to be low-level and would be hidden by the parapet wall when viewed from the fifth floor and below. The duct work is located at the north-western side of the permitted development, on the Bride Street / John Field Road elevation and as such it is not adjacent to the Adelaide Square apartment block.
- 7.2.5 Proximate to the eastern boundary at sixth floor level floor, installation of proposed ductwork is required on foot of the final M&E scheme to accommodate the services riser. As detailed in the applicant's response to the appeals, the majority of the ducting pipework will be internal with some piping exposed on the flat roof. The ducting would be hidden by the parapet wall when viewed from sixth floor level or below and therefore I would not anticipate any significant visual impact arising from the proposed ductwork.
- 7.2.6 At eight floor roof level a relatively small expansion of c 4.1 sqm to the permitted plant area is proposed. All plant at this level will be enclosed and screened by polyester powder-coated louvred metal panels which were permitted as part of the parent application.
- 7.2.7 Having regard to the foregoing, and noting that the proposed amendments relating to the provision of additional plant does not involve any changes to the permitted height of the hotel development, I do not consider that the additional roof-level plant would lead to visual clutter or have an undue negative impact on the visual amenity of the area over and above that already permitted.

External finishes

- 7.2.8 The application proposes amendments for a change of the permitted brick to grey sto render to specific elevations as follows:
- John Field Road Elevation (2-2): Partial material change from brick to grey Sto render at floors 7 and 8.

- Southern Block Elevation (7-7): Partial material change from brickwork to grey Sto render at floors 1 to 8.
- Rear Elevation (5-5): Partial material change from brick to grey Sto render at ground to 8th floor level.

The architects booklet submitted with the application provides information on the proposed durable synthetic render system which it states will avoid problems associated with traditional cementitious renders, such as cracking and colour fading.

7.2.9 Elevation drawings 2-2 and 7-7 relate to the northern elevation of the southern block. Having viewed the verified photomontages included as part of the Architectural Design Statement, provided with the parent application (ABP-309466-21 / Reg. Ref. 2915/20 refers), it is clear that the upper floors of the northern elevation of the southern block would be visible from street level and the public realm. As such I concur with the planning authority's view that the brick finish to the elevations visible from the street should be retained in the interest of visual amenity and that render to the northern elevation at 7th and 8th floor level should be omitted. There is scope to include render at first and second floor levels of the northern elevation of this block, which shall not be overtly visible from street level.

7.2.10 The remaining areas proposed for render finish are primarily to the rear (Rear Elevation drawing 5-5 refers) and face the Adelaide Square development. In this context, these areas will not be overtly visible from the streetscape or the public realm, and are therefore not as visually sensitive. In this regard, I note that the design statement submitted with this application states that the top three floors of the elevation would be visible to residents in Adelaide Square north, with the lower floors blocked by the position of the northern block.

7.2.11 Having regard to the foregoing, I consider there is scope to replace some brick with render on the eastern elevation. In this regard, I agree with the analysis of the area planner which suggests that it would be preferable from a maintenance perspective to retain the brick finish at higher floor levels. It is reasonable to limit render finish to the first and second floor levels with brick finish to be provided to the third to eight floor levels above. Should the Board decide to grant permission for the amendments as proposed, I recommend inclusion of a condition which aligns with condition 5 of the

planning authority's decision relating to the specific locations where provision of render would be acceptable and would not unduly impact on visual amenity.

7.3 Impacts on residential amenity

- 7.3.1 The proposed development relates to relatively minor amendments to the permitted development, comprising, inter alia, an increased floor area of c 100 sqm, revisions to plant areas, addition of plant, use of revised materials, landscaping changes and minor changes to building lines on this brownfield city centre site. Noting the nature of the proposal, and that there is no overall increase to the height of the permitted development proposed, I do not consider that this proposed development would result in any further undue impacts on the residential amenity of apartments within the adjoining Adelaide Square developments. Furthermore, I do not anticipate any of the proposed amendments to the permitted development would have an overbearing impact or lead to any significant additional diminution in daylight and sunlight.
- 7.3.2 In relation to this latter point, I do not concur with the ground of observation suggesting that the proposed development should be assessed against more current BRE guidance, introduced after the decision made to permit the hotel development. I note that the issues of daylight, sunlight and overshadowing were comprehensively examined in the context of the parent application and appeal (ABP-309466-21 / Reg. Ref. 2915/20 refers). As referred to above, there is no overall height increase associated with this proposed development and, therefore, in my view, assessment of this amendment application against BRE criteria is not warranted.
- 7.3.3 One of the primary issues of contention in the appeals and the observations submitted relates to the potential noise and odour impacts from the relocated / additional plant. The applicant has clarified in its response to the appeals that each of the proposed plant related amendments are required due to the finalisation of the building's M&E scheme. At basement level the plant area is reduced as a back-up battery bank unit is no longer required. Smaller water tanks are also noted at this basement level. Both ground floor and basement level plant are located inside the building and as such I would not anticipate any undue impacts arising which would negatively affect residential amenity of the adjoining area.
- 7.3.4 As referred to in section 7.2.4 above, the proposed amendment to plant at fifth floor level relates to the re-design of proposed ductwork, which is positioned at the north-

western side of the fifth floor roof, and well away from the boundary with the Adelaide Square apartments. In the response to the appeals the applicant has confirmed that the ductwork will not generate any noise or expel any air or odour. In this context, I would not anticipate any impact arising on the residential amenity of the area.

- 7.3.5 At sixth floor level, exposed ductwork to accommodate the services riser is proposed to be installed on the flat roof, at the eastern boundary, proximate to the Adelaide Square apartments. The applicant has confirmed that this ducting would not generate any noise and would not expel any odour.
- 7.3.6 At eight floor roof level a minor expansion (c 4.1 sqm) of the approved plant area is proposed. As such, I do not anticipate undue impacts on residential amenity arising as a result of this small additional plant space.
- 7.3.7 To conclude, it is apparent that any additional plant proposed comprises ducting which the applicant has confirmed will not generate noise or emit air or odours.
- 7.3.8 I note that Condition 13 of the parent permission (ABP-309466-21 / Reg. Ref. 2915/20) addresses the operation of plant and requires a scheme for the effective control of fumes and odours to be submitted to the planning authority prior to occupation. Further, Condition 6 of the planning authority's decision relating to this current amendment application comprehensively addresses air pollution and noise pollution control measures and also requires all mechanical plant and ventilation inlets and outlets to be sound insulated and / or fitted with sound attenuators to ensure noise levels do not pose a nuisance at noise sensitive locations. Such conditions are appropriate should problems arise in relation to odour / noise impacts from the proposed development.
- 7.3.9 While I note that an appellant has expressed a concern that BS 4142 relating to noise (which is referred to in Condition 6 of the planning authority's decision) is outdated, I do not share this view. The methodology described in BS 4142 is used to assess the impact of industrial and commercial sound, using outdoor sound levels to assess the likely effects of sound on people who might be inside or outside a dwelling or premises used for residential purposes. As such, the reference in Condition 6 to BS 4142 is appropriate and acceptable.

7.3.10 To conclude, having regard to the foregoing, I am satisfied that the proposed amendments relating to plant provision including additional plant at fifth and sixth levels and at eight floor roof level would not unduly impact on the residential amenity of adjoining residents through noise generation and emission of odours.

7.4 Other issues

7.4.1 Condition 8 (a)

Condition 8 (a) of the planning authority's decision to grant permission specifies construction hours to be adhered to in respect of the proposed development. An appellant requests that this condition be amended from a 7.00 am start time to a later start time of 8.00 am during the week, which would accord with Condition 11 of the parent development (ABP-309466-21 / Reg. Ref. 2915/20 refers). In recent years, construction times have been updated and allow construction works to commence at 7.00 am during the week. I consider these construction hours to be appropriate and standard. As such, should the Board grant permission I recommend inclusion of a condition which reflects a start time of 7.00 am.

7.4.2 Information on file

Submissions received in respect of the proposed development consider that there is insufficient detail to allow assessment of the proposed development. In my opinion, there is adequate information on the appeal file which facilitates a full assessment of the proposed development.

7.4.3 Impact on hotel rooms

An observation suggests that the proposed extension of plant at first floor level may adversely impact the size of hotel rooms. Having reviewed the floor plans of the bedrooms, I am satisfied that the layout and sizes of bedrooms are not unduly impacted by the proposed development.

7.4.4 Tables 3 and 4 of Appendix 3 of the City Development Plan

An appellant contends that the proposal does not accord with Tables 3 and 4 of Appendix 3 of the Dublin City Development Plan 2022-2028 which relate respectively to performance criteria in assessing height, density and scale and performance criteria for assessing landmark / tall buildings. I note however that the proposal relates to

relatively minor amendments to the hotel development permitted in January 2022 and that no changes to the overall permitted building height is proposed. As such, I am satisfied that the carrying out of assessments in accordance with Tables 3 and 4 of Appendix 3 of the Dublin City Development Plan 2022-2028 is not warranted in the assessment of this proposed development.

7.4.5 Sedum Roof

A submission raises concern that the additional plant proposed at fifth floor roof level would impact on the extent of the sedum roof proposed at that level. Having examined the fifth floor proposed roof plan against the fifth floor permitted roof plan, I am satisfied that the additional plant at this level does not impact the extent of the sedum roof as permitted in the parent application.

7.5 Matters Arising

Planning Authority Conditions

I am satisfied that the conditions attached by the planning authority in its decision to grant permission for the proposed development are appropriate. I note that a bespoke condition (Condition 6) relating to air and noise pollution control measures is attached, which I consider should be included, in the event the Board decides to permit the proposed development.

While I note the report from the City Archaeologist recommends inclusion of conditions relating to archaeological monitoring and surveying of the site during construction works, with the same wording of Condition 3 of the parent permission (An Bord Pleanála Reference Number ABP- 309466-21 refers), the area planner's report notes that this condition has already been complied with and therefore it is not necessary to re-attach the condition to this amendment application. Having regard to the nature of this proposed development and also given that the hotel development is nearing completion, I concur with the area planner's position in this regard. Notwithstanding, should the Board decide to grant permission, I recommend inclusion of a condition requiring the proposed development to comply with the conditions of the parent permission for the hotel development.

Other matter

I am satisfied that all other proposed amendments to the permitted development detailed in the public notices and set out in section 2 of this report are acceptable and would not give rise to negative impacts. In relation to signage and artwork, the application includes a final design for the Stephenson façade which incorporates a portrait of Oscar Wilde and other well-known Irish figures along with provision for an updated poem to the Peter Street (southern) elevation, with bronze lettering. These are acceptable to the planning authority and I have no objection to the proposed artwork and signage.

8.0 Appropriate Assessment Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000, as amended.

The permitted hotel development which is at an advanced stage of construction is located on a brownfield site in Dublin City Centre.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, which comprises relatively minor amendments to the permitted development, relating to, inter alia, an increased floor area of c 100 sqm, revisions to plant areas, addition of plant, use of revised materials, landscaping changes and minor changes to building lines on a brownfield site, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Relatively small scale and nature of the proposed development.
- The site location within the urban context of Dublin City Centre.
- Location-distance from nearest European site and lack of direct connections.
- Taking into account the conclusion of the appropriate assessment screening undertaken by the planning authority.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that permission be granted subject to the following reasons and considerations.

10.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022 – 2028, the Z5 – City Centre zoning of the site, the planning history of the site, and the relatively small scale and nature of the proposed amendments to the permitted hotel, it is considered that, subject to compliance with the conditions set out below, the proposed development would not negatively impact on the visual amenities of the area or lead to visual clutter, would not negatively impact on the residential amenities of the area through noise generation, odour emissions, and overshadowing impacts, and would not adversely impact the permitted hotel bedrooms. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>The proposed development shall comply with the conditions of An Bord Pleanála Reference Number ABP- 309466-21, except as otherwise may be required in order to comply with the following conditions.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>The proposed development shall be amended as follows:</p> <p>(a) The render to the northern elevation of the southern block, as illustrated on Elevations 2-2 and 7-7, shall be limited to the first and second floor levels inclusive, with brick finish to be provided to the third to eighth floor levels inclusive.</p> <p>(b) The render to the rear (east) elevation, as illustrated on Elevation 5-5, shall be limited to the ground and first floor levels inclusive, with brick finish to be provided to the third to eighth floor levels inclusive.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>The following requirements shall be complied with:</p> <p>(a) Air Pollution Control Measures:</p> <p>(i) Prior to commencement of the permitted use, a scheme shall be submitted to, and approved in writing by the Planning Authority for the effective control of fumes and odours from the premises. The scheme shall be implemented before the use commences and thereafter permanently maintained.</p> <p>(ii) No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the site boundary or any other legitimate uses of the environment beyond the site boundary.</p>

	<p>(b) Noise Pollution Control Measures:</p> <p>(i) Before the use thereby permitted commences, a scheme shall be submitted to, and approved in writing by the Planning Authority of details relating to the likely sound power levels of all externally located plant and equipment associated with this development shall be submitted to the Planning Department prior to installation for the written agreement of the planning authority.</p> <p>(ii) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.</p> <p>(c) All plant including extract ventilation systems and refrigerator condenser units shall be sited in a manner so as not to cause nuisance at sensitive locations due to odour or noise. All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators to ensure that noise levels do not pose a nuisance at noise sensitive locations.</p> <p>Reason: In the interest of residential amenity.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0700 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in</p>

	<p>exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
6.	<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 or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</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>
7.	<p>The developer shall pay to the planning authority a financial contribution in respect of Luas Cross City Scheme (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</p>

	<p>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.

John Duffy
Planning Inspector
24th March 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála	ABP-319472-24		
Case Reference			
Proposed Development Summary	Amendments to hotel permitted under Planning Authority Reg. Ref. 2915/20 / An Bord Pleanála Ref. ABP-309466-21, and all associated site works. Amendments comprise, inter alia, changes to external finishes, addition of plant, and installation of artwork.		
Development Address	36 Bride Street, Dublin 8 D08 AX62 and 67-69 Bride Street, Dublin 8 D08 C8CN		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓	Class 10 (b) (iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended.	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required

No	✓		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	The proposed development involves amendments to a permitted hotel development (ABP-309466-21 / Reg. Ref. 2915/20) comprising, inter alia, changes to external finishes, addition of plant, and installation of artwork. The site, with a total area of 0.1981 ha, is located in an urban area that may come within the above definition of a “business district” but is significantly below the threshold of 2 ha for such a location. It is therefore considered that the proposed development does not require mandatory EIA.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	✓	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Appendix 2 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-319472-24
Proposed Development Summary	Amendments to hotel permitted under Planning Authority Reg. Ref. 2915/20 / An Bord Pleanála Ref. ABP-309466-21, and all associated site works. Amendments comprise, inter alia, changes to external finishes, addition of plant, and installation of artwork.
Development Address	36 Bride Street, Dublin 8 D08 AX62 and 67-69 Bride Street, Dublin 8 D08 C8CN
<p>The Board carried 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> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Site size is c 1.981 ha.</p> <p>The proposal involves amendments to a permitted hotel including changes to external finishes, addition of plant and installation of artwork. ABP-309466-21 / Reg. Ref. 2915/20 permitted a hotel development comprising 247 bedrooms.</p> <p>The parent permission is presently being implemented and construction of the development is at an advanced stage.</p>

	<p>The proposed development, the subject of this appeal, would not result in the production of significant waste, emissions or pollutants.</p>
<p>Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The subject site is located within the built-up area of Dublin city. There is no direct hydrological connection present to any Natura 2000 sites.</p>
<p>Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>

Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	YES
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	NO
There is a real likelihood of significant effects on the environment.	EIAR required.	NO

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3

Screening the need for Appropriate Assessment

Appropriate Assessment :Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The proposed development relates to modifications to a permitted 247 bedroom hotel permitted under Planning Authority Reg. Ref. 2915/20 / An Bord Pleanála Ref. ABP-309466-21, comprising, inter alia, relatively minor amendments to the permitted development, relating to, inter alia, an increased floor area of c 100 sqm, revisions to plant areas, addition of plant, use of revised materials, landscaping changes and minor changes to building lines on a city centre brownfield site. No increase in the number of hotel rooms is proposed.

No Appropriate Assessment Screening Report was submitted. The Planning Authority considered that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant effect on a European Site.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation or Special Protection Area (SPA). The nearest European site is South Dublin Bay SAC (Site Code 00210) and the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024), located approximately 3.7 km to the east.

There are no direct hydrological connections from the subject site to this SAC and SPA.

The permitted hotel development approved in 2022 (ABP-309466-21 / Reg. Ref. 2915/20 refers) is to connect to existing municipal services in terms of water supply and wastewater/drainage. Therefore, there is an indirect pathway to the European sites of Dublin Bay via the Ringsend Waste Water Treatment Plant. I therefore acknowledge that there are potential connections to the European sites within Dublin Bay via the wider drainage network and the Ringsend WWTP. However, the existence of these potential pathways does not necessarily mean that potential significant effects will arise.

Likely impacts of the project (alone or in combination)

I do not consider that the proposed development would give rise to increased loading on the existing municipal sewers for foul water; in this regard no additional hotel rooms are proposed. I acknowledge that there would be a potential marginal increase in terms of surface water run-off to the public surface water sewer and the WWTP, however, upgrade works to the Ringsend WWTP extension have commenced and the facility is currently operating under the EPA licencing regime that is subject to separate AA Screening.

Having regard to the distance separating the site to the aforementioned Natura 2000 sites there is no pathway for loss or disturbance of important habitats or important species associated with the feature of interests of any of the SPA/SAC identified above.

Furthermore, there are no plans or projects which can act in combination with the proposed development which can give rise to significant effect to Natura 2000 sites located within the zone of influence.

Overall Conclusion

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

The scale of the development;

The location of the subject site within the urban context of Dublin City Centre;

The lack of any direct connections to the nearest Natura 2000 site; and

Taking into account conclusion of the appropriate assessment screening undertaken by the planning authority.