



An  
Coimisiún  
Pleanála

## Inspector's Report

**322594-25**

<b>Development</b>	Revision to the 100 bedroom hotel permitted under Reg. Ref. F16A/0587.
<b>Location</b>	Lands adjacent to the Carlton Dublin Airport Hotel, Turnapin Great, Old Airport Road/Swords Road, Cloghran, Co. Dublin
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F24A 090E
<b>Applicant(s)</b>	Trimstar Ltd.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	First V Condition
<b>Appellant(s)</b>	Trimstar Ltd
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	15 <sup>th</sup> of August 2025.
<b>Inspector</b>	Darragh Ryan

## **Site Location and Description**

- 1.1.1. The subject site is located to the south of the Carlton Hotel. The site serves as a carpark for the hotel. The site has a stated area of 0.75 ha and is on the east side of the R132 Swords Road, accessed via the existing Carlton Hotel access..
- 1.1.2. The site is approx. 500m south of Dublin Airport, in an area characterised by a mix of commercial uses. It is adjoined to the west by the Q-park long stay car park, to the south by the Royal College of Surgeons Sports Grounds and to the east by a car rental facility and petrol filling station.
- 1.1.3. The site is accessed off the R132 which has 2 bus stops within 200m of the site entrance. The R132 is subject to Bus Connects project for Swords to City Centre which is proposing to upgrade existing carriage way and provide increased bus services along with enhanced cycling and pedestrian facilities. The site is located 1.5km south of Dublin Airport and is enclosed by palisade fencing, save for the interface with the existing hotel complex, which is currently unbounded.

## **2.0 Proposed Development**

- 2.1.1. The proposed development will provide for a new standalone 5 storey over basement level hotel comprising 100 bedrooms, meeting rooms, licensed bar/restuarnt and ancillary services including offices, staff room and gym area, laundry plant and refuse spaces along with associated elevated signage.
- 2.1.2. Permission is also sought for:
  - Reconfiguration of the existing surface car parking on site (comprising of 130 no. car parking spaces in lieu of existing 223 no. spaces currently on site)
  - 38 no bicycle parking spaces (26 spaces and basement level an 12 spaces at surface level)
  - 2 no motorcycle parking spaces at surface level
  - Utilisation of existing entrance off Swords Road – controlled access
  - Landscaping boundary treatments, drainage works and all associated site and infrastructural works necessary to facilitate the development.

- The proposed works will have a floor area of 6,253.50 sqm. The proposed hotel is L shaped and has a height of 18.2m. A total of 100 bedrooms and 8 meeting rooms are proposed.

### 3.0 Planning Authority Decision

#### 3.1. Decision

On the 28th of April 2025, Fingal County Council issued a Decision to grant permission subject to 18 conditions. The singular condition that is of relevance to this appeal is Condition 3 which states:

“3 The following shall be complied with:

- (a) The permitted development shall comprise a hotel with 100 no bedrooms. No alterations or reconfiguration of accommodation within the premises shall be carried out without a prior grant of permission from the Planning Authority or from An Bord Pleanala (Coimisiun) following an appeal.
- (b) All meeting rooms and conference facilities and licensed bar/restaurant within the hotel shall be omitted. The reconfigured layout of all affected including the ground and fourth floors shall be submitted to and shall be agreed in writing with the planning authority prior to commencement of development on site.
- (c) No conferences or banqueting events shall be held within the hotel.

Reason: In the interests of clarity and to ensure an appropriate density of development on site”

#### 3.2. Planning Authority Reports

##### Basis of Planning Authority Decision

- 3.2.1. There are three planning authority reports on file dated 4<sup>th</sup> of December 2024, 27<sup>th</sup> of February 2025 & 25<sup>th</sup> of April 2025. The PA reports considered the following in their assessment:

- The report noted the planning history and gave breakdown of previous applications on site.
- Site zoning was considered and the principle of development was accepted.
- The report noted that the site is located within the Outer Public Safety Zone, in relation to its proximity to Dublin Airport, and that the Environmental Resource Management's Public Safety Zone Report (2005) provides guidance on appropriate levels of development within the Inner and Outer Public Safety Zones. The report acknowledged that the ERM report recommends that hotels of up to 100 bedrooms are permissible in the Outer zone, but that it is silent in relation to the provision of meeting rooms/conference facilities

3.2.2. Further information was sought for the following:

- The applicant is requested to demonstrate that the proposed development would accord with the requirements of the Environmental Resource Management Public Safety Zone Report 2005 regarding density restrictions applicable to land with the Outer Public Safety Zone.
- The applicant requested to provide a noise impact assessment
- Clarification of details supplied within the Design Statement is also sought.

Upon receipt of further information and clarification of further information in relation to design, the planning authority were not satisfied that adequate justification was provided to demonstrate that the proposed development would accord with the Environmental Resource Management Public Safety Zone Report (2005). A grant of permission was recommended and the hotel meeting rooms and bar/restaurant facilities were excluded through condition.

3.2.3. Other Technical Reports

- Air and Noise Unit 20/11/2024 – Additional Information sought

The applicant shall carry out a noise impact assessment and mitigation plan for the proposed development to demonstrate how acceptable internal noise levels will be achieved. The report shall be prepared by an appropriately

qualified competent person with the necessary acoustic expertise and shall have regard to Professional Practice Guidance on Planning & Noise: New Residential Developments 2017 and BSI Standards Publication BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

Amended report 21/02/2025 upon receipt of Acoustic Design Statement

Recommending conditions

- Transportation Planning Section 18/11/2024 – Conditions recommended
  - Reduced car parking acceptable
  - Bicycle parking acceptable
  - Access/ egress arrangements acceptable
  - Swept Path Analysis acceptable
  - Workplace Travel Plan acceptable
  - Traffic Impact Assessment considered acceptable – no impact on junction performance.

- Heritage Officer 30/10/24 – No objection

- Conservation Officer 14/11/24 – No objection

The Conservation Office does not consider that the proposal will materially affect the character of the protected structure in the vicinity due to the separation distance and the existence of a tall hotel building between the two.

- Water Services Department 11/11/2024 – No objection, conditions recommended
  - The development shall incorporate a green roof in accordance with DMSO206 and DMSO207 of the CDP.
  - No surface water / rainwater is to discharge into the foul water system under any circumstances.
  - The surface water drainage must be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.

- Parks and Green Infrastructure Division 5/11/2024 – No objection  
All landscape proposals shall be submitted in a plan format and be prepared by a suitably qualified professional. The landscape plan should comprise full details of the size, species and location of all trees, hedging, and shrubs to be planted and the treatment of all external ground surfaces.
- Environment Department 11/11/2024 – No objection  
Recommend condition for the inclusion of an Environment and Construction Waste Demolition Plan

### 3.3. Prescribed Bodies

#### 3.3.1. Transport Infrastructure Ireland -30/10/24

Transport Infrastructure Ireland requests that the planning authority has regard to the provisions of official policy for development proposals as follows: proposals impacting national roads, to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII Publications and proposals impacting the existing light rail network, to TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system.

#### 3.3.2. Dublin Airport Authority 20/02/2025 – no objection conditions recommended

- daa requests that a condition is attached to any grant of permission, requiring the developer to agree any proposals for crane operations (whether mobile or tower crane), 30 days in advance of construction with daa and AirNav Ireland.
- In the interests of safeguarding access to Dublin Airport and future Public Transport Projects, daa respectfully requests Fingal County Council have regard to Objectives EA01 and EA08 contained within the Dublin Airport Local Area Plan 2020, and objective CMO23 of the Fingal Development Plan 2023-2029 when assessing this application.
- Given the site's proximity to the approach path for Runway 34 at Dublin Airport, careful management of façade lighting is essential to mitigate potential risks such as distraction or confusion with aeronautical ground lighting. daa requests that a condition is attached to any grant of permission, requiring the developer to agree any façade lighting scheme with daa and

AirNav Ireland prior to installation. Façade lighting must be designed, installed, and maintained to avoid hazardous, confusing, or misleading effects for aircraft on approach to Runway 34 at Dublin Airport.

- The proposed development's proximity to Dublin Airport means it has the potential to impact the external road network on which the airport greatly relies. daa requests that, in the event of a grant of permission, a condition is attached to ensure that any car parking provided as part of the development is strictly ancillary to the primary use of the site as hotel accommodation.

### **3.4. Third Party Observations**

No observations received

## **4.0 Planning History**

### **4.1.1. F20A/0166/ ABP 307884-20 – Permission is sought for revisions to permission Reg.**

Ref. F16A/0587, consisting of internal alterations to the permitted ground, first, second, third and fourth floors, including relocation of internal staircases, reduced corridor widths, reconfiguration of permitted bedrooms and a minor reduction in the gross floorarea of the permitted hotel.

Permission is also sought to amend condition No. 3 of Reg. Ref. F16A/0587, to permit meeting rooms at ground and fourth floor levels and associated internal reconfiguration of these floors, to accommodate ancillary uses including reception, fitness rooms, food preparation area, etc. In total, 10 meeting rooms would be provided, 5 at ground floor and 5 at fourth floor level.

(Split Decision by Fingal county Council. Grant of permission including amendment of Condition no 3 by AN Coimisiun Pleanála under 307884-20.)

### **4.1.2. F16A/0587 - Permission granted on 15th January 2018 for a five-storey over basement hotel comprising 100 bedrooms, parking and associated site works. Condition No. 3 of the Final Grant required that meeting rooms within the hotel should be omitted and that no conference or banqueting events should take place within the hotel.**

### Nearby Relevant Planning History

- 4.1.3. F08A/1035 - Carlton Dublin Airport Hotel: Permission granted on 20th November 2008 for alterations to the hotel, consisting of a spa, guest gym area, 7 new club room, hotel management offices, plant area, laundry area and 1 no. relocated bedroom at first and third floor levels and with associated external elevation changes.
- 4.1.4. F07A/0377 – Carlton Dublin Airport Hotel: (Bord Ref. PL06F.223973) Permission refused on 27th November 2007 for a development of 13 executive conference rooms within the existing first floor level void/plant area. Permission was refused for 1 reason, relating to concerns regarding compliance with the document 'Public Safety Zones; Cork, Dublin and Shannon Airport (ERM, 2003), which set out development limits for the site.
- 4.1.5. F06A/0318 - Carlton Dublin Airport Hotel: Permission granted on 13th June 2006 for retention of revisions to 100-bed hotel approved under F04A/1519. F04A/1519 - Carlton Dublin Airport Hotel: Permission granted on 4th April 2005 for a 100 bed hotel in a four storey over basement structure. Condition No. 12 of the Final Grant required that the first floor conference rooms should be used solely as a business conference facility and should not be used for private parties or functions, etc.

## **5.0 Policy Context**

### **5.1. Fingal Development Plan 2023 – 2029**

Policy CMP27- Support the continued protection of the core transport function of Dublin Airport including measures to enhance surface access, public transport connections and strategic freight movements.

#### Objective DMSO 105 – Development Within Airport Noise Zones

Strictly control inappropriate development and require noise insulation where appropriate in accordance with Table 14.16 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based



operational restrictions on usage of a second runway are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone

Objective DAO11 – Requirement for Noise Insulation

Strictly control inappropriate development and require noise insulation where appropriate in accordance with Table 8.1 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of the runways are not unreasonable to minimise the adverse impact of noise on existing housing within the inner and outer noise zone.

Objective DAO14 – Aircraft Movements and Development

Restrict development which would give rise to conflicts with aircraft movements on environmental or safety grounds on lands in the vicinity of the Airport and on the main flight paths serving the Airport, and in particular restrict residential development in areas likely to be affected by levels of noise inappropriate to residential use.

Objective DAO18 – Safety

Promote appropriate land use patterns in the vicinity of the flight paths serving the Airport, having regard to the precautionary principle, based on existing and anticipated environmental and safety impacts of aircraft movements.

Objective DAO19 – Review of Public Safety Zones

Support the review of Public Safety Zones associated with Dublin Airport and implement the policies to be determined by the Government in relation to these Public Safety Zones.

Objective DAO20 – Irish Aviation Authority Publications

Take into account relevant publications issued by the Irish Aviation Authority in respect of the operations of and development in and around Dublin Airport.

## 5.2. Natural Heritage Designations

Baldoye Bay SPA (004016) – 6.7km west of site

Baldoye Bay SAC (000199) – 6.7km west of site

North Dublin Bay SAC (000206) – 6.6km northwest of site

North Bull Island SPA (004006) – 6.6km northwest of site

Malahide Estuary SAC (000205) – 6.5km southwest of site

Malahide Estuary SPA (004025) – 6.5km southwest of site

## 6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

This is a first party appeal against condition 3 attached to the Council Decision to grant permission. Condition 3 F24A/0904E states:

*“3 The following shall be complied with:*

*The permitted development shall comprise a hotel with 100 no bedrooms. No alterations or reconfiguration of accommodation within the premises shall be carried out without a prior grant of permission from the Planning Authority or from An Bord Pleanala (Coimisiun) following an appeal.*

*All meeting rooms and conference facilities and licensed bar/restaurant within the hotel shall be omitted. The reconfigured layout of all affected including the ground and fourth floors shall be submitted to and shall be agreed in writing with the planning authority prior to commencement of development on site.*

*No conferences or banqueting events shall be held within the hotel.*

*Reason: In the interests of clarity and to ensure an appropriate density of development on site”*

- 7.1.1. The applicant sets out that there is no conference facilities or banqueting facilities associated with the development. The proposal is for a lounge/breakfast area with a small bar at ground floor level with small meeting rooms for dual usage for hotel visitors. The proposal ensures that the proposal could not attract or cater for events and is not intended for hosting large events.
- 7.1.2. Under the current application Fingal County Council have ignored the planning precedent set by An Bord Pleanala (Coimisiun) under 307884-20. Under previous application for the site (F20A/016/ ABP Ref: 307884-20 reference is made that the meeting rooms were omitted from the development proposal. An Bord Pleanala (Coimisiun) clearly overturned the decision of the Planning Authority and granted permission for meeting rooms, along with bar and restaurant area. The Coimisiun in the previous application, considered that such a proposal which was larger than the one currently proposed was compliant with the Outer Public Safety Zone Standards.
- 7.1.3. The proposed development is compliant with Table 6.1 of ERM Public Safety Report 2005. Under previous application for the site under ABP 307884-20 the Coimisiun considered that the proposed development was compliant with the above guidance to provide for meeting rooms and licensed bar/restaurant.
- 7.1.4. Use of the Proposed Hotel
- O'Dwyer & Jones Design Partnerships Aviation Planning Consultants prepared an Aviation Report to support the application, the proposed hotel complies with ERM guidelines in full.
- 7.1.5. Given the sites proximity to Dublin Airport it can be considered that occupancy and length of time people stay within the hotel will be less than that of a typical “destination” or “resort” hotel. The hotel for the most part may be used as a rest point between destinations. A common practice for all airport hotels internationally.
- The proposed restaurant is principally designed for use of hotel guests and in reality is used as a breakfast serving area. It's a small area and considered too small to attract non guests.

7.1.6. The inclusion of the hotel meeting rooms is a key parameter for the operational viability of an airport hotel, The development will serve Dublin Airport where international businesses fly in and out. Many of the customers require meeting rooms in Boardroom styles where meetings can be held in the morning after flying in and before the fly out again. There is a strong commercial viability and reality for the inclusion of meeting rooms in the hotel. There are no conference/event facilities designed within the application. The omission of the meeting rooms raises questions regarding the viability of the hotel construction.

7.1.7. Table 1: Proposed Development in comparison to previously granted hotel

	Previously Permitted Dev, F20A/0166/ ABP Ref 307884.20	Proposed Dev  Reg Ref F24A/0904E
Bedrooms	100 no. bedrooms	100 no. bedrooms
Height	5 Storey (over basement level)	5 Storey (over basement level)
Total Floor Area	6798sqm	6,253.5sqm
Meeting Rooms	5 no on the ground floor 5 no on the 4 <sup>th</sup> floor 10no in total – 563.80sqm	4 on the ground floor 4 on the 4 <sup>th</sup> floor 8 no in total 395.5sqm

7.1.30. As can be noted from the above table, the total floor area of the development is smaller than previous grant of permission under F20A/0166/ ABP Ref 307884.20. The total floor area of meeting rooms is also considerably smaller with a 29.85% decrease in overall meeting rooms proposed. The density of the proposed development is considerably less than the density granted under ABP Ref 307884.20.

7.1.31. Under original planning application on site F16A/0587 a similar condition was attached to remove all meeting rooms and conference facilities within the hotel. On that occasion the applicant decided not to appeal the condition but to seek amendments to the hotel design and layout under reference F20A/016. Fingal

County Council granted permission however refused permission for amendment to condition 3. On this basis the applicant appealed the original condition and the decision was made under ABP ref 307884-20. The Board Inspector considered that it was reasonable to provide ancillary facilities as part of the hotel development and there is reasonable separation between the overnight accommodation and proposed daytime meeting room uses.

7.1.32. Reference is made to two other developments both granted by Fingal County Council for similar developments under F16A/0388 and F08A/0190. It sets out that these developments are similar in nature to the proposed and fully compliant with ERM safety report and County Development Plan.

7.1.33. Failte Ireland's Hotel Classification Scheme

It is considered that Fingal County Council has failed to understand the guidelines of the ERM safety report. As per Failte Ireland's classification scheme hotel development includes both the bedrooms but also associated development required within any hotel. The use of associated lounge, bar, restaurant and kitchen within a hotel development is an operational requirement of Failte Ireland. In order to be a viable hotel the hotel must provide a food and drink offering to be considered an independent standalone hotel.

**7.2. Planning Authority Response**

- Response received from Fingal County Council on the 19<sup>th</sup> of June 2025.

The planning authority has nothing further to add and request on Coimisiun Pleanala to uphold the decision and conditions of the Planning Authority.

**7.3. Observations**

- None

**7.4. Further Responses**

- None

## 8.0 Assessment

Having regard to the foregoing; having examined the application details; having inspected the site; and having regard to relevant policies and objectives, I consider the main issues are those related directly to the appeal, that is, the attachment of Condition No. 3. Having regard to the nature and scale of the proposed development and the nature of Condition No. 3, I consider that a *de novo* assessment is not warranted. I am satisfied the proposed development is otherwise in accordance with the proper planning and sustainable development of the area. I recommend the Board determines the matters raised in the appeal only in accordance with Section 139 of the Planning and Development Act 2000, as amended.

- 8.1.1. A first party appeal has been lodged against Condition No. 3 of Fingal County Council's decision to grant permission under Reg. Ref. F24A/0904E. The applicant seeks that the condition be amended and/or removed. Condition No. 3 provides that the permitted development shall comprise a hotel of 100 no. bedrooms only, with all meeting rooms, conference facilities and licensed bar/restaurant omitted, and prohibits the holding of conferences or banqueting events. The Planning Authority's rationale is that a condition restricting the proposed restaurant and bar to "residents only" would be unenforceable, and further, that the applicant had not demonstrated that the proposal accords with the Environmental Resources Management (ERM) Public Safety Zone Report (2005) guidance relating to development within the Outer Public Safety Zone at Dublin Airport.
- 8.1.2. The applicant, in their appeal, states that the proposal does not include conference or banqueting facilities. A lounge/breakfast area is proposed with a small bar at ground floor level, together with 8 no. meeting rooms, reduced from 10 in the previous application. The gross floor area of meeting rooms is now 395.5 sqm compared with 563.8 sqm previously. The applicant emphasises that the meeting rooms are intended for occasional daytime use only by hotel patrons, and cannot cater for large events. The development is therefore of a reduced scale relative to the previously permitted hotel under FCC Ref. F20A/0166 and ABP Ref. 307884-20, where An Coimisiun Pleanála expressly permitted meeting rooms on this site subject to restrictions on hours of operation.

- 8.1.3. I note that Objective DAO19 of the Fingal Development Plan 2023–2029 sets out the Council's policy approach to development within the public safety zones around Dublin Airport, stating that a precautionary approach will be taken and that appropriate land use patterns will be promoted. Section 8.5.7 of the Plan further references the ERM report and identifies the range and scale of development considered appropriate within the Outer Public Safety Zone. Importantly, Table 6.1 of the ERM Report identifies hotels of up to 100 bedrooms as a development type which may be permitted within this zone. The acceptability of a 100-bed hotel at this location is therefore consistent with Development Plan policy, and is accepted by the Planning Authority and the applicant.
- 8.1.4. The primary issue is whether the inclusion of ancillary facilities such as a bar/restaurant and meeting rooms falls outside the intent of the ERM guidance. In this regard, I note that the ERM Report is guidance only and expressly states that not all development possibilities can be covered (paragraph F3.14.4) . In my opinion, it is reasonable to assume that a 100-bed hotel, as contemplated by the guidance, would be expected to include normal hotel facilities such as a bar, restaurant, and limited meeting space, as are proposed here. Furthermore, the proposed meeting room provision is of a smaller scale than that previously accepted by the Coimisiun under ABP Ref. 307884-20, where the principle of meeting rooms on the site was already established.
- 8.1.5. In terms of density, the hotel will accommodate up to c.200 residents (100 bedrooms at 2 persons each), with the proposed meeting rooms catering for an additional c.66 persons. Even allowing for ancillary staff, the overall occupancy does not materially exceed the density levels contemplated in the ERM report. Furthermore the meeting rooms are of a limited size, such that the facilities are not suitable to host large gatherings/ events. The total gross area of the 8 meeting rooms is 395.5sqm, which is a significant reduction on total gross floor area of previous grant of permission (563.8sqm). The meeting rooms are intended for occasional daytime use only, and no conference facilities are proposed as part of the development. Under the ERM Report, where meeting rooms are considered as a separate facility with limited usage, they may fall within the "Limited Use" category, which allows for an occupancy of up to 220 persons per 0.5 hectares. The ERM Report (2005) assumed a site area of 0.5 hectares for a 100-bed hotel. In this case, the subject site provides

an additional 0.25 hectares, which could be applied to such “limited use” facilities. This would equate to a permissible occupancy of approximately 110 persons—almost double the capacity of the proposed meeting rooms. In this regard, I do not consider the proposal exceeds the capacity thresholds as set out within the ERM report. I consider it appropriate to amend condition 3 to limit the hours of operation of the meeting rooms on site as per previous application under ABP Ref. 307884-20.

- 8.1.6. The guidance notes attached to the ERM report offers no guidance on range of ancillary services permitted. I accept the applicant’s submission that an airport hotel functions differently from a destination or city centre hotel, being used primarily as a rest point with shorter stays, and that the intensity of usage is therefore lower. Having examined the drawings submitted, I consider the bar and restaurant are of a limited scale to be considered ancillary to the primary hotel use and are necessary for the viability of such a facility. In my view the site has limited capacity to avail of a passing trade for the bar and restaurant. The access to the site is controlled by barrier and a ticket has to be validated at hotel reception or payment is required. Additionally carparking on site is being significantly reduced from 223 to 130 spaces. In this regard, I consider it reasonable that the bar/restaurant facilities on site are ancillary to the primary use associated with the hotel and will not be a significant attraction for non-patrons.
- 8.1.7. Having regard to the foregoing, I do not agree with the Planning Authority’s assessment that meeting rooms and bar/restaurant facilities should be excluded from the development proposal. The proposal, in my view, is fully consistent with the objectives of the Fingal Development Plan 2023–2029, particularly Objective DAO19, and is in compliance with the guidance of the ERM Report insofar as it relates to acceptable uses within the Outer Public Safety Zone. I consider that the inclusion of meeting rooms, together with a small bar and restaurant, does not undermine the ERM guidance or Development Plan policy, provided that the use of such facilities remains limited in scale.
- 8.1.8. In this context, I consider it appropriate that the Coimisiun amend Condition No. 3 to permit the proposed ancillary facilities, subject to a restriction on the hours of operation of the meeting rooms and a prohibition on their use for conferences or banqueting events. Such a condition would align with the Coimisiun’s previous



approach on the site, while ensuring that the development remains within the intent of the ERM guidance.

## 8.2. Other Matters

The applicant makes reference to two other precedent cases which support the development proposal for the inclusion of meeting rooms and bar/kitchen facilities. I do not consider these examples to be of relevance to the particular appeal as both sites had a previous use which contained kitchen/bar facilities. I understand the ERM report does not make reference to existing facilities when assessing planning applications, however I do consider existing facilities and their refurbishment to be a material consideration in any planning case. As stated within ERM report, the report should be used as guidance only and is not a catch all to cover all development proposals. As the proposed site is for a new standalone hotel facility, I do not consider the precedent cases referenced by the applicant in this regard to be directly relevant to the appeal.

## 9.0 AA Screening

I have considered the proposed development at Lands adjacent to the Carlton Dublin Airport Hotel, Turnapin Great, Old Airport Road/Swords Road, Cloghran, Co. Dublin, in light of the requirements S177U of the Planning and Development Act, 2000, as amended.

The subject site is not within or adjacent to of any Natura 2000 site, the nearest designated sites being Malahide Estuary SAC (Site Code 000205) and SPA (Site Code 004025), approx. 6km north-east, and Baldoyle SAC (Site Code 000199) and SPA (Site Code 004016), approx. 7km east.

There are no drainage ditches or watercourses in the vicinity of the development site that provide direct connectivity to European sites. Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account in the decision process.

9.1.1. Having considered the nature, scale and location of the project, 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;

- The nature and small scale of the development,
- The location of the development site and distance from nearest European site(s), and the weakness of connectivity between the development site and European sites.
- Taking account of the screening report/determination by the Planning Authority.

9.1.2. 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.

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

## **10.0 Water Framework Directive**

### **10.1.1. Water Framework Directive**

The Water Framework Directive (WFD) ecological status of the Santry River is classified as 'Poor' for the 2016-2021 monitoring period and was 'At Risk' of failing to meet its WFD objectives for the same period (EPA, 2025). North Bull Island that receives waters from the Santry River is of 'Moderate' ecological status and its risk status was under review (EPA, 2025). The ultimate waterbody in this network, Dublin Bay, was of 'Good' ecological status for the 2016-2021 monitoring period and was considered to be 'Not at Risk' of meeting its WFD objectives. (EPA, 2025)

10.1.2. I have assessed the proposed development for the construction 100 bedroom hotel and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature,

scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to a surface water

The reason for this conclusion is as follows:

- The best practice standard measures that will be employed to prevent groundwater and surface water pollution from the site.
- Details supplied within the Environmental reports submitted with the application

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## **11.0 Recommendation**

I recommend Condition 3 be amended.

## **12.0 Reasons and Considerations**

Having regard to the nature of Condition No. 3, which is the subject of the appeal, I am satisfied that the determination of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to:

(a) Amend Condition number 3 and the reasons therefore as follows:

The proposed addition of meeting rooms and bar/restaurant ancillary to the primary use of hotel is consistent with the objectives of the Fingal Development Plan 2023–2029, particularly Objective DAO19, and is in compliance with the guidance of the Environmental Resources Management (ERM) Report 2005 insofar as it relates to acceptable uses within the Outer Public Safety Zone. The provision of meeting rooms and ancillary/restaurant and bar facilities would not increase the density on site does not materially exceed the density levels contemplated in the ERM report. The proposed addition of meeting rooms and ancillary bar/restaurant would therefore

not endanger public safety and would be in accordance with the proper planning and sustainable development of the area.

### 13.0 Conditions

Condition 3 to amended as follows:

3. Meeting rooms within the hotel shall only be utilised between the hours of 10am-5pm and shall not be used for conferences or banqueting events.

Reason: In order to ensure an appropriate density of development on the site and to ensure meeting rooms are daytime use only.

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.

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Darragh Ryan  
Planning Inspector

28<sup>th</sup> of August 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála</b>			
<b>Case Reference</b>			
<b>Proposed Development Summary</b>			
<b>Development Address</b>			
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	Tick if relevant and proceed to Q2.
		<b>No</b>	Tick if relevant. No further action required
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>	Tick/or leave blank	State the Class here.	Proceed to Q3.
<b>No</b>	Tick or leave blank		Tick if relevant. No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
<b>No</b>	Tick/or leave blank		Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	Tick/or leave blank	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)

<b>5. Has Schedule 7A information been submitted?</b>		
<b>No</b>	Tick/or leave blank	<b>Screening determination remains as above (Q1 to Q4)</b>
<b>Yes</b>	Tick/or leave blank	<b>Screening Determination required</b>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_