



An  
Coimisiún  
Pleanála

# Inspector's Report

## PL-500137-DS

### Development

Demolition of buildings on site, construction of a mixed-use hotel, an apartment block comprising 22 no. units and a single residential dwelling. An NIS has been prepared in respect of the proposed development. Within the curtilage of protected structures.

### Location

Nos 23, 24 & 29 Parkgate Street,  
Dublin 8

### Planning Authority

Dublin City Council South

### Planning Authority Reg. Ref.

WEB1732/25

### Applicant(s)

WP Heuston Developments Limited

### Type of Application

Permission

### Planning Authority Decision

Grant Permission + Conditions

### Type of Appeal

Third Party Normal Planning Appeal

### Appellant(s)

John Smith

Tom and Kevin Murray

Niamh Richardson

<b>Observer(s)</b>	<b>Caitriona Tunney</b> <b>Montpelier Hill Residents'</b> <b>Association</b> <b>Peter McGuire</b> <b>Katherine Helgerson</b> <b>Tamsin Snow</b> <b>Daragh &amp; Claire Coughlan</b> <b>Mary Glennon</b>
<b>Date of Site Inspection</b>	<b>23<sup>rd</sup> January 2026</b>
<b>Inspector</b>	<b>Ciara McGuinness</b>

# Contents

1.0 Site Location and Description .....	5
2.0 Proposed Development .....	6
3.0 Planning Authority Decision .....	8
3.1. Decision .....	8
3.2. Planning Authority Reports .....	9
3.3. Prescribed Bodies .....	11
3.4. Third Party Observations .....	11
4.0 Planning History.....	11
5.0 Policy Context.....	12
5.1. National Planning Policy .....	12
5.2. Regional Planning Policy .....	16
5.3. Dublin City Development Plan 2022-2028 .....	16
5.4. Natural Heritage Designations .....	18
5.5. EIA Screening .....	19
6.0 The Appeal .....	19
6.1. Grounds of Appeal .....	19
6.2. Applicant Response .....	21
6.3. Planning Authority Response.....	25
6.4. Observations.....	26
6.5. Further Responses .....	26
7.0 Assessment .....	27
7.2. Land Use/Hotel Concentration .....	27
7.3. Scale and Height.....	28

7.4. Design.....	30
7.5. Heritage .....	31
7.6. Daylight, Sunlight and Overshadowing .....	32
7.7. Residential Amenity .....	33
7.8. Traffic.....	35
7.9. Other Miscellaneous Issues .....	36
8.0 Appropriate Assessment.....	38
9.0 Water Framework Directive .....	39
10.0 Recommendation .....	40
11.0 Reasons and Considerations.....	40
12.0 Conditions .....	41
Appendix 1 - Form 1 - EIA Pre-Screening.....	49
Appendix 2 – Form 2 - EIA Preliminary Examination.....	51
Appendix 3 - AA Screening Determination .....	53
Appendix 4 - AA Determination .....	58
Appendix 5 – Water Framework Directive Screening .....	66

## 1.0 Site Location and Description

- 1.1. The appeal site which has a stated area of 0.35 hectares is located on the north side of Parkgate Street which is located to the west of where the Luas crosses the River Liffey at Sean Houston Bridge.
- 1.2. The application site comprises Nos. 23, 24 and 29 Parkgate Street, Dublin 8. The eastern part of the site comprises the former Westbrook Motors premises (No. 23 & 24) which comprised a sales building and forecourt area which fronts onto Parkgate Street. The site extends northwest to the rear of the properties along Parkgate Street where a 2-storey car park (ancillary to the car sales outlet) is located. Access to the car park is provided via an archway to the side of no. 29 Parkgate Street, a 2-storey mid-terrace commercial building which is also part subject site. No. 29 is positioned between two public houses, one of which (Ryan's) is a Protected Structure (RPS Ref. 6315).
- 1.3. The immediate context is a mixed-use urban setting, with retail, residential and institutional uses. The terraced streetscape to the west is characterised by 2–3 storey buildings. Taller buildings in the immediate area include the Ashling Hotel to the east (6 storeys), the Criminal Courts of Justice further to the west (c.10 storeys), Parkgate Business Centre and Parkgate Place apartment scheme to the south (4 & 5 storeys respectively) and the permitted residential development within the former Hickey's site also to the south (30 storeys).
- 1.4. The site is not located within an Architectural Conservation Area but is within the Liffey Conservation Area. It is adjacent to several Protected Structures and is proximate to Montpelier Hill, a primarily residential road, which rises significantly above Parkgate Street. The site is located adjacent/proximate to protected structures 17-22 Parkgate Street (RPS Ref. 6314) and 28 Parkgate Street, Ryan's of Parkgate Street (RPS Ref. 6315).
- 1.5. The site is within close proximity to Heuston Station (including Luas Red Line and mainline services) approximately 250m to the west and multiple Dublin Bus routes nearby.

## 2.0 Proposed Development

2.1. The proposed development includes the demolition of all existing buildings on site including the former motor sales buildings, forecourt, car parking building and no.29 Parkgate Street with the exception of the façade either side of the existing gates. All retaining features and boundaries will be left in place.

2.2. The proposed development comprises a mixed-use development consisting of a hotel and residential development as follows:

- A hotel building (4 to 6 storeys over basement) which will comprise 155-no. bedrooms (all en-suite), with a licensed restaurant, public bar and all ancillary facilities/ services/plant associated with the hotel.
- A separate residential apartment block (2 to 5 storeys) comprising 22 no. units (11 no.1-beds and 11 no.2-beds) all with private open space.
- The construction of a single residential dwelling (3 bed townhouse, 3 storeys in height) to replace existing No. 29 Parkgate Street.
- Access to the apartment development will be via the existing access from Parkgate Street. The development will also include the provision of a new loading bay outside no. 29 Parkgate Street and the expansion of the existing loading bay outside 23/24 Parkgate Street.
- All associated site development works, plant areas, landscaping, open spaces, bike stores, waste management areas, and services provision.

2.3. The following table outlines the key characteristics of the proposed development

<b>Key Characteristics</b>	
Site Area	0.35ha
Density	139 uph. (based on residential site area)
Plot Ratio	Overall site: 2.4:1 Residential plot: 1.3:1
Site Coverage	55%

Communal Open Space	Net useable: 489sqm
Cycle Parking	Residential: – 40 no. long terms spaces. - 12 no. short term spaces  Hotel: 11 no. spaces for staff
Aspect	100% of units are dual aspect

2.4. The application is accompanied by the following documentation;

- Planning Report
- Hotel Justification Report
- Architectural Design Statement
- Housing Quality Audit
- Landscape Report
- Basement Impact Assessment Report
- Civil Engineering Infrastructure Report and Surface Water Management Report
- Parking Strategy and Residential Travel Plan
- Construction and Environmental Management Plan
- Site Specific Flood Risk Assessment
- Verified Views Booklet
- Daylight and Sunlight Assessment
- Architectural Heritage Impact Assessment (AHIA)
- Delivery and Serving Management Plan
- Operational Waste Management Plan
- Resource and Waste Management Plan

- Bat Assessment
- Natura Impact Assessment
- Street Lighting Report
- Energy Statement
- Building Lifecycle Report
- M&E Incoming Services Letter

2.5. As a result of changes made at Further Information stage, the proposed hotel development has been amended with the reduction of rooms at the upper two levels along the northern elevation, in an effort to ensure that there are no windows directly overlooking the rear gardens of Montpelier Hill. This has resulted in a reduction in the number of hotel bedrooms to 150 en-suite rooms.

### 3.0 **Planning Authority Decision**

#### 3.1. **Decision**

3.1.1. The Planning Authority granted permission on 29<sup>th</sup> September 2025 subject to 20 no conditions. The attached conditions are standard in nature (construction, operation, technical, procedural, and financial). Conditions of note or specific to the appeal include the following:

**4. (a)** requirement for windows on the north elevation serving stairwells and corridors to be fitted with opaque glazing.

**4. (b)** requires a pop-out or oriel style window to be incorporated into Unit B.01.05 which would direct views from the bedroom towards the east and the secondary northern window, serving the living area, shall be replaced with a high-level window.

**5. (a)** requires access via the entrance between No.'s 28 and 29 Parkgate to be limited to pedestrian and cyclist access (& emergency access vehicles). The removable bollards shall be provided within the curtilage of the site.

**5. (b)** The proposed changes to the public road including all materials shall be agreed in writing with the Roads Maintenance Division of Dublin City Council.

**6.** The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site.

**8. a)** The recommendations / mitigation measures proposed in the submitted Basement Impact Assessment and subsequent Ground Movement Assessment shall be fully implemented.

**8. (a)** The applicant/developer shall submit the following for the written approval of the planning authority:

**(i)** A demolition and salvage strategy for historic building fabric including stone and brick from the warehouse structure.

**ii)** A method statement for demolition of No 29 Parkgate Street to mitigate damage to the adjacent structures including the Protected Structure at No. 28 Parkgate Street.

**(iii)** Submit a drawing and photographic survey of boundary walls to be retained as part of the development. Where walls are historic, method statements for conservation repair shall be provided.

**9.** The works shall be carried out under the professional supervision on-site of an architect or expert with specialised conservation expertise, in accordance with the Department of the Environment, Heritage and Local Government, Architectural Heritage Protection, Guidelines for Planning Authorities and in accordance with Best Conservation Practice.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

**3.2.2.** The Planners Report (dated 28<sup>th</sup> May 2025) notes that 'Residential' and 'Hotel' are permissible uses under the site's Z5 zoning. Having regard to the location of the site at the edge of the city centre core and its proximity to high-capacity public transport, key visitor attractions, and a diverse mix of surrounding uses, it is considered that the proposed hotel would not give rise to an overconcentration of visitor accommodation in the area. The applicant has not provided a justification in the context of Objective CUO39, which states that it is a requirement for all new large hotels to provide high quality, designed for purpose spaces that can accommodate

evening and nighttime activities. The proposed height is considered to be acceptable and complies with the criteria of Appendix 3 of the Development Plan regarding taller buildings in central urban areas. Based on the report provided, having regard to the urban context, proximity of neighbouring properties, and site configuration, the proposed development is not considered to result in an undue loss of daylight or sunlight to any existing neighbouring property and is acceptable in this regard. However, a number of third-party observations have indicated that the daylight/sunlight study has not accurately assessed the true layout of extensions to the rear of dwellings on Montpelier Hill and rear garden spaces. The applicant should be requested to clarify whether the daylight/sunlight study has accurately assessed the existing built context to the rear of dwellings on Montpelier Hill. Separation distance to Montpelier Mews is generally considered acceptable in this city centre location and having regard to the existing trees which provides a level of mitigation. It may be further appropriate to require the windows to the north elevation serving stairwells and corridors consist of opaque glazing.

Further information was requested in relation to

- 1) How the proposed development contributes to the evening and night-time economy
- 2) Submit revised the Daylight and Sunlight to address issues raised & clarify the treatment to windows at 3rd floor level to the north elevation
- 3) Submit details clarifying certain access arrangements
- 4) Submit a revised Flood Risk Assessment and Basement Impact Assessment to address issues raised.

In response to item 2b, the proposed hotel has been amended to reduce the number of rooms at the upper two levels. The second Planners Report (dated 30/09/2025) notes that this has ensured that there are no windows directly overlooking the rear gardens of Montpelier Hill, which is welcomed. The revision to the massing results in a more favourable outcome in terms of daylight and sunlight impacts, which is also welcomed by the Planning Authority. The applicant has submitted revised drawings which show the ground floor layout amended to include a flexible seating area and a demountable stage, creating a purpose-designed space which is capable of accommodating evening and night-time activities. It is considered that subject to

compliance with the conditions, the proposed development would not seriously injure the residential amenities of neighbouring dwellings or the amenities of the area and would be in accordance with the proper planning and sustainable development of the area. A grant of permission is recommended.

### 3.2.3. Other Technical Reports

City Archaeologist: Report dated 14/05/20205 – No objection. Conditions recommended.

Conservation Division: Report dated 23/05/2025 – No objection. Conditions recommended.

Drainage Division: Report dated 12/05/2025 – Request Further Information (item 4, detailed above). No objection to FI response. Conditions recommended.

Transportation Planning Division: Report dated 19/05/2025 – Request Further Information (item 3, detailed above). No objection to FI response. Conditions recommended.

### 3.3. Prescribed Bodies

Uisce Eireann – Water and wastewater connections are feasible. Standard condition recommended.

### 3.4. Third Party Observations

A number of submissions were received by the Planning Authority from residents of neighbouring properties. The issues raised are comparable to those raised in the appeals which are summarised in Section 6 below.

## 4.0 Planning History

**PA Reg Ref 2319/10 (ABP Ref. PL29S.236779):** Permission Refused by DCC & ABP for the demolition of the existing Peugeot showroom, service workshop, ancillary two storey offices and the erection of a 2.4 metre high painted timber hoarding along Parkgate Street at back of pavement at former Gowan Motors.

**PA Reg Ref 0475/98:** Permission Granted by DCC for a 1st floor open car park deck and perimeter wall as part of a redevelopment programme of the rear, as a modification of development already approved (Reg. Ref. 1967/97).

**PA Reg Ref 1967/97:** Permission Granted by DCC for a 1st floor open car parking deck and perimeter wall as part of a re-development programme at the rear.

## 5.0 Policy Context

### 5.1. National Planning Policy

#### 5.1.1. The National Planning Framework – First Revision (April 2025)

The NPF First Revision was published in April 2025. The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of our country out to the year 2040. In the period between 2022 and 2040 it is expected that there will be roughly an extra one million people living in Ireland. The target is for at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites.

The NPF initially planned for population growth of 1.1 million people, and a total population of 5.85 million by 2040. Census 2022 recorded a population of 5.15 million in Ireland. The Economic and Social Research Institute (ESRI) has updated its national and regional population projections to account for Census 2022 and to take account of up to date economic, fertility, mortality and migration data. The updated projection is that the population of Ireland will increase to approximately 5.7 million by 2030 and to 6.1 million by 2040. Given the key role of international migration in shaping population growth in Ireland, the ESRI have also modelled a higher international migration scenario with a projected population of 6.3 million people by 2040 (baseline + 200,000). The ESRI projections form the basis for the revised NPF. This means that the NPF will now need to plan for a population of 6.1 million by 2040, an additional 250,000 people over that planned for in 2018.

The following is a sample of relevant NPOs:

**National Policy Objective 4:** A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

**National Policy Objective 8:** Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.

**National Planning Policy Objective 12:** Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

**National Policy Objective 14:** Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets that can accommodate changing roles and functions, increased residential population and employment activity, enhanced levels of amenity and design and placemaking quality, in order to sustainably influence and support their surrounding area to ensure progress toward national achievement of the UN Sustainable Development Goals.

**National Policy Objective 42:** To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.

**National Policy Objective 43:** Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

**National Policy Objective 45:** Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

### **Section 28 Ministerial Planning Guidelines**

#### **5.1.2. Guidelines for Planning Authorities: Design Standards for New Apartments, 2023**

*Note:* Circular Letter NSP 03/25 confirms that the Design Standards for New Apartments, Guidelines for Planning Authorities (2025) are not applicable to the current development before the Commission. The Apartment Guidelines (2025) are applicable to any application for planning permission or to any subsequent appeal or direct application to An Coimisiún Pleanála submitted after the issuing of the Guidelines, i.e. from 9th July 2025. The Design Standards for New Apartments,

Guidelines for Planning Authorities (2023) applies to current appeals or applications that were the subject of consideration within the planning system on or before the 8th of July 2025.

The guidelines, hereafter referred to as the Apartment Guidelines, provide quantitative and qualitative standards for apartment development across a range of thresholds depending on the number of units proposed and the site's context. It also sets out SPPRs to be adhered to across a range of parameters including unit mix, car parking and minimum floor areas. Applicable standards for the proposed development include requirements of SPPR 3 (minimum floor areas, and by reference to Appendix 1, minimum storage and private open space areas), SPPR 4 (33% to be dual aspect units in more central and accessible urban locations), SPPR 5 (minimum 2.7m requirement for ground level floor to ceiling height).

#### **5.1.3. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024**

The guidelines, hereafter referred to as the Compact Settlement Guidelines, set out a context to create higher density settlements to underpin sustainable development principles. The guidelines encourage the following approaches of relevance:

- Table 3.1 – 'It is a policy and objective of these Guidelines that residential densities in the range 100 dph to 300 dph (net) shall generally be applied in the centres of Dublin and Cork'.
- Realise opportunities for adaptation, reuse and intensification of existing buildings and for incremental brownfield and infill development.
- Deliver brownfield and infill development at scale at suitable strategic and sustainable development locations within the existing built-up footprint of the city and suburbs area or metropolitan towns.
- The quantum of car parking in new developments should be minimised to manage travel demand and to ensure that vehicular movement does not impede active modes of travel or have undue prominence within the public realm.

- SPPR 1 – Separation Distances – ‘minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level’.
- Policy and Objective 5.1 - Public Open Space – ‘In some circumstances a planning authority might decide to set aside (in part or whole) the public open space requirement arising under the development plan’.....’In such circumstances, the planning authority may seek a financial contribution within the terms of Section 48 of the Planning and Development Act 2000 (as amended) in lieu of provision within an application site’.
- SPPR 3 - Car Parking – ‘In city centres and urban neighbourhoods of the five cities’....’car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling’.
- Section 5.2.5 - Bicycle Parking and Storage - ‘In areas of high and medium accessibility, planning authorities must ensure that new residential developments have high quality cycle parking and cycle storage facilities for both residents and visitors’.
- SPPR 4 - Cycle Parking and Storage – ‘all new housing schemes (including mixed-use schemes that include housing) include safe and secure cycle storage facilities to meet the needs of residents and visitors’.
- Section 5.3.7 – Daylight – This section proposes that planning authorities weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision, against the location of the site and the general presumption in favour of increased scales of urban development.
- Appendix B – Measuring Residential Density – ‘When calculating residential densities within mixed use schemes, planning authorities shall exclude the % of non-residential uses in proportion to the net site area, i.e.
  - Calculate Net Site Area
  - Calculate the overall GFA

- Differentiate between the % of residential and non-residential GFA
- Reduce net site area by the percentage of non-residential GFA
- Divide number of dwelling by reduced site area’.

## 5.2. Regional Planning Policy

### 5.2.1. Regional Spatial and Economic Strategy for the Eastern and Midland Region, 2019

The RSES supports the implementation of Project Ireland 2040 and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the region. It advocates sustainable consolidated growth of the Metropolitan Area, including brownfield and infill development.

The following RPOs (as summarised) are of relevance:

**RPO 4.3** supports the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within Dublin City and suburbs and ensure that future development areas are co-ordinated with infrastructure.

**RPO 5.5:** Residential development shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development of Key Metropolitan Towns in a sequential manner.

### 5.3. Dublin City Development Plan 2022-2028

The site is located in an area zoned ‘Zone Z5- City Centre’ with the accompanying objective *‘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 is also within the red hatched Conservation Area on the zoning map. The site is within proximity to Protected Structures within adjacent sites including 17-22 Parkgate Street (RPS Ref. 6314) and 28 Parkgate Street, Ryan’s of Parkgate Street (RPS Ref. 6315).

**Chapter 6** ‘City Economy and Enterprise’ refers to guidance on hotels, and this includes the avoidance of overconcentration of hotel development in areas of the city

which currently have high levels of existing hotels. The following guidance and policy objectives are relevant;

**Section 6.5.3 Key Economic Sectors – Tourism, Hotels and Events** - Avoid overconcentration of hotel development in areas of the city which currently have high levels of existing hotel development or where there is a significant number of planning applications for such development, and have regard to the existing and proposed mix of uses in the vicinity, in order to achieve wider city objectives such as to create a rich and vibrant range of uses in the city centre.

**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.

**CUO39 - Purpose Built Spaces for Evening and Night Time Activities** - To encourage the opportunity presented by new larger developments, including a requirement for all new large hotels\* and aparthotels\*, within the city to provide high quality, designed for purpose spaces that can accommodate evening and night time

activities, such as basement/roof level “black box” spaces that can be used for smaller scale performances/theatre/music/dance venues, and/or for flexibility in the design of larger spaces, such as conference spaces, to be adaptable for evening and night-time uses.

\*Over 100 bedrooms

**Chapter 11** ‘Built Heritage and Archaeology’ provides guidance in relation to developments located in conservation areas. The following policy is relevant to the proposed development.

**BHA9 Conservation Areas** - ....Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

...Enhancement opportunities include: Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting and contemporary architecture of exceptional design quality, which is in harmony with the conservation area.

**Appendix 3** ‘Height Strategy’ recognises the role that height plays in the achievement of compact cities and refers to key factors that will determine height will be *‘the impact on adjacent residential amenities, the proportions of the building in relation to the street, the creation of appropriate enclosure and surveillance, the provision of active ground floor uses and a legible, permeable and sustainable layout’*. The strategy includes guidance on plot ratio and site coverage and advises that the default height within the city within the canal ring is 6 storeys.

**Appendix 16** ‘Sunlight and Daylight’ provides guidance to applicants carrying out daylight and sunlight assessments with the aim to offer clarity on the required technical approach, such that a standardised methodology and set of metrics are used by applicants completing daylight and sunlight assessments.

#### 5.4. **Natural Heritage Designations**

Grand Canal pNHA – c.1.5km to the south of the site

Royal Canal pNHA – c.2.2km to the north of the site

South Dublin Bay SAC – c.5.5km to the southeast of the site

North Dublin Bay SAC – c.7.5km to the northeast of the site

South Dublin Bay and River Tolka SPA - c.4.4km to the east site

## 5.5. **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.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

A total of 5 third party appeals have been made against the decision of Dublin City Council to grant permission for the proposed development. The appeals are submitted by Montpelier Hill Residents' Association and other members of the public who reside in adjoining and nearby residential properties. I have summarised the main points of the appeals under relevant headings as follows:

#### **Land Use/Hotel Concentration**

- The concentration of Premier Inns in such close proximity is not in keeping with the aims and objectives of the Development Plan.
- The development should provide space for local businesses adding a positive impact for local residents.

#### **Heritage**

- The aesthetic and bulk of the building will negatively impact the character and quality of the Liffey Conservation Area and the protected structures in the vicinity.

- The proposed development will result in the loss of historically important building forms, harming the original street pattern.

### **Height and Density**

- The height and massing of the proposed development is disproportionate to the surrounding context and prevailing height in the area.
- The height and scale will obstruct views enjoyed by the residents of Montpelier Hill.

### **Design**

- The design is homogenous and lacks any architectural innovation or merit.
- Design of townhouse interrupts the flow and rhythm of the street.

### **Daylight and Sunlight**

- The height, bulk and proximity will cause a substantial reduction in daylight and sunlight to adjoining properties.
- There is a lack of shadow analysis and winter sunlight analysis.
- The assessment carried out is not in accordance with best practice guidance.

### **Residential Amenity**

- Concerns are raised that plant on the roof will generate noise.
- There is potential for ventilation issues and emissions of strong food odours.
- No works should be carried out at night or at the weekend.
- Privacy will be compromised by the overbearing nature of the hotel.
- The separation from hotel block to the properties to the rear is not sufficient.
- Extra traffic and congestion arising from lack of parking.
- One appellant queries the location of a cycle lane in close proximity to 18 Montpelier Mews.

### **Structural Issues**

- Concerns regarding the methodology of construction/ demolition. The Basement Impact Assessment provides no assessment for any impacts on the structural stability of the adjoining properties.
- The wall at the rear of 28-40 is to be retained, however it is not clear how construction works such as vibration and drilling will affect the integrity of the wall.

### **Precedent**

- A number of precedent decisions have been provided as examples of recent comparable proposals which were refused by either DCC or ACP.

### **Property Value**

- The proposed development will result in a decrease in property values due to the impact on residential amenity.

## **6.2. Applicant Response**

The applicant's response to the grounds of appeal can be summarised as follows;

### **Zoning/Land Use**

- All of the uses proposed – residential, hotel and restaurant – are all permitted in principle uses under Z5 zoning.
- The ground floor of the hotel will provide a new active frontage with hotel entrance/lobby and a large restaurant/dining area that looks out to the street which will enliven the streetscape.

### **Hotel Concentration**

- The Hotel Concentration report submitted with the application demonstrates that based on the supply and demand analysis provided, the site is not located in an area that could be classified as having an overconcentration of existing hotels and bedspaces.
- The proposed development aligns with policies CEE26 Tourism in Dublin and CEE28 Tourism Accommodation.

### **Daylight and Sunlight Impact**

- IN2 have prepared a separate document which responds on a point-by-point basis to each appellant's concerns in relation to daylight/sunlight.
- It is noted that many of the claims arise from a misinterpretation of the assessment findings.
- It is considered that the level of impact in terms of overshadowing, daylight and sunlight impact is acceptable within this urban location. A certain degree of impact is to be anticipated where vacant, low scale, brownfield sites are redeveloped next to existing properties. The submitted assessment demonstrates that the proposed development would not adversely affect the appellants' dwellings along Montpelier Hill.

### **Architectural Heritage, Protected Structure & Conservation Area**

- The proposal does not involve a Protected Structure or mews lane, therefore policies BHA2 and BHA14 do not apply.
- New developments within Conservation Areas that deliver modern design of greater scale and density are supported in the Development Plan once they also positively contribute to the character and distinctiveness of the area. The development is therefore not contrary to Policy BHA9.
- A detailed Architectural Heritage Impact Assessment was submitted which provided a detailed analysis and commentary on the impacts.

### **Architectural Design**

- MDO architects have prepared a rebuttal letter contesting claims that the design is generic and bland.
- The design is based on a site and context specific response with strong design principles that will provide a highly attractive addition to the streetscape.
- The elevation is organised into five distinct sections that echo the traditional plot-width rhythm of the street, creating visual interest that aligns with the established architectural grain and materiality of the area.
- A varied material palette reinforces both the urban-village character and the rhythmic plot-line widths that define Parkgate Street.

## **Height, Scale & Visual Impact**

- The height of the development between 2 and 6 storeys is acceptable for this brownfield site within the City Centre and complies with the Development Plan Height Strategy as evidenced in the grant of permission
- The development complies with the 10 criteria outlined in table 3 of Appendix 3 for assessing development of Enhanced Height, Density and Scale.
- Section 4.1 of Appendix 3 states that a default position of 6 storeys will be promoted in the city centre and within the canal ring.
- Given the significant level change between Montpelier Hill and Parkgate Street, the height of the development (up to 6 storeys) reflects the height of the Montpelier Hill properties (typically 2-3 storeys)

## **Visual Impact from Residential Properties**

- Impact on views is inevitable within a city centre location where compact urban growth, consolidation, increased density and scale is promoted in national and local policy.
- Existing buildings on the site are lower than the ground levels of Nos 28, 30, 32, 34 and 36 Montpelier Hill, allowing for unobstructed views and therefore the degree of impact is pronounced. Elsewhere along Montpelier Hill unobstructed city views are not available.
- Private views from Montpelier Hill are not designated key views or prospects.
- Views are already to be altered significantly with the development of the landmark scheme (8-30 storeys) at the former Hickey Fabrics site at No.42A Parkgate Street.
- Additional CGIs have been prepared to show anticipated views of the scheme from individual properties.
- The applicant is happy to propose the rear elevations be finished fully in brick instead of render as was requested by a number of appellants. The Commission is invited to include a condition to this effect.

- Views south from 18 and 20 Montpelier Mews will be of new communal open space as a replacement for the surface car parking which is considered a visual improvement.
- In relation to the Catriona Tunney appeal, it is considered that a footpath may have been misinterpreted as a cycle lane. The communal areas around Block B are only for the residents of the scheme. It is not a public space and none of the areas are open to the wider public or cyclists.

### **Privacy and Overlooking**

- The main body of the hotel is over 22m from the rear of the closest Montpelier Hill property. Therefore the hotel windows are sufficiently set back to avoid overlooking.
- Given the significant level difference, the 5-6 storey elements of the hotel present at a similar height to the Montpelier Hill properties. The two hotel wings step down to 5 storeys and are orientated east – west with no hotel bedroom windows facing the Montpelier Hill properties.
- The connecting northern wing is only 2 storeys high as revised at Further Information Stage.
- Within the Apartment Block none of the apartments are orientated towards Montpelier Mews. At 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors main windows face east/west/south with only secondary windows and stairwell/corridor windows facing north.
- The applicant is happy to comply with Condition 4 of the grant of permission which requires all northern elevation windows to stairwells and corridors to be opaque in glazing and which requires Unit 1.05 to include an oriel or prop out window to avoid undue overlooking.

### **Parking and Traffic**

- The hotel and apartments will not be provided with customer/resident parking.
- The site location is ideal for public transport accessibility as it is within a short walking distance of Hueston Station, Red Luas Line and a large variety bus services that serve the city and the region.

- Significant provisions of dedicated long- and short-term cycle parking facilities are provided.
- The car free nature of the development is supported by DCC Transportation Planning.

### **Noise & Emissions**

- The hotel will be served with two plant rooms that will be full enclosed and properly sealed to avoid undue noise escaping to either the adjoining hotel bedrooms or to the residential properties to the north.
- Vents are located away from the boundaries of the residential properties to the north and will be properly designed and cowled to ensure that emissions and odours are controlled.
- It is not intended that construction would take place outside of normal working hours. The commission may wish to include a condition in relation to hours of construction.

### **Structural Issues**

- The ground movement assessment specifically assesses the impact on the surrounding building facades and retaining wall in close proximity to the site. The result of analysis concludes a 'negligible' to at worst 'very slight' impact in relation to ground movements and to mitigate any impact a project specific monitoring regime and action plan is proposed. Condition 7(a) ensures the implementation of the proposed mitigation.
- It is understood that there is no asbestos within the existing buildings.

### **Planning Precedent**

- Planning refusals in different parts of the city do not hold any relevance to the consideration of the current proposal.

## **6.3. Planning Authority Response**

A response from Dublin City Council requests that the Commission uphold the decision to refuse permission. It is also requested that if granted the following conditions be applied;

- a Section 48 development contribution condition,
- a bond condition,
- a social housing condition,
- a naming and numbering condition,
- a management company condition.

#### 6.4. **Observations**

Observations were received from Peter Mcguire, Katherine Helgerson, Tamsin Snow, Daragh & Claire Coughlan and Mary Glennon. The issues raised in the observations are similar to those raised in the appeals and submissions and primarily relate to the height and scale of the proposed development and its impact on residential amenity.

#### 6.5. **Further Responses**

Further responses were received from the following:

- Tom and Kevin Murray
- Katherine Helgerson
- Daragh & Claire Coughlan
- Niamh Richardson
- John Smith
- Caitriona Tunney
- Montpelier Hill Residents Association

The main issues raised in the above further responses are covered in the Grounds of Appeal, in the submissions to the Local Authority and in the previous observation submissions.

## 7.0 Assessment

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

- Land Use/Hotel Concentration
- Scale and Height.
- Design and Visual Impact
- Daylight, Sunlight and Overshadowing
- Residential Amenity.
- Heritage
- Traffic
- Other Matters.

### 7.1. Land Use/Hotel Concentration

7.1.1. The land use zoning objective on the appeal site is 'Z5 City Centre' with the objective to 'consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity'. Hotel uses and residential uses are 'permissible uses' within the zone and, accordingly, I am satisfied that the proposed development is consistent in principle with the current Development Plan zoning provisions.

7.1.2. I note the appellants have raised concerns with regards to the concentration of Premier Inns in the area. The Development Plan also addresses concerns about the overconcentration of hotels in particular areas and highlights the need to maintain a suitable range of uses. Policy CEE28 outlines criteria for the assessment of hotel proposals, much of which concerns the effect of proposals on the existing and proposed mix of uses/activities in the area. Section 15.14.1 of the Development Plan notes that there is a need to find a balance between the provision of adequate levels

of visitor accommodation and other uses in the city such as residential, social, cultural and economic uses. The application is accompanied by a 'Hotel Concentration Report' prepared by McGill Planning. The report sets out that there are a total of 7 existing properties (1,937 no. bedspaces) offering a range of tourist accommodation types within 1 km of the subject site. Having reviewed the planning history of the area, I do not consider that there is a significant or excessive extent of permitted hotels in the catchment, particularly having regard to the site's location and accessibility.

- 7.1.3. The appellants have also raised concerns in relation to the need to provide spaces which would add a positive impact for local residents. I note from my site assessment that Parkgate St has a mix of uses including office, commercial, retail, civic, and residential. I do not consider that the proposal would result in a significant intensification of hotel use or that it would undermine wider objectives to promote a vibrant mix of uses. The proposed development would include ground level uses which would promote activity at street level and would accommodate evening and night-time activities in accordance with Objective CUO39 'Purpose Built Spaces for Evening and Night Time Activities' of the Development Plan.
- 7.1.4. Having regard to the foregoing, I consider that the proposed hotel would complement the existing and emerging mix of uses in the area. It would not lead to an overconcentration of hotel and/or other short-term accommodation uses, and I am satisfied that the proposed hotel use would be consistent with Objective CEE28 'Visitor Accommodation', Objective CUO39 'Purpose Built Spaces for Evening and Night Time Activities' and Section 15.14.1 of the Development Plan.

## **7.2. Scale and Height**

- 7.2.1. I note the third-party submissions received raised concerns with regards the height and scale of the proposed development and its impacts at this location.
- 7.2.2. Appendix 3 of the Development Plan sets out the height strategy for the city and this includes the identification of locations for greater heights in accordance with SPPR 1 of the Building Height Guidelines, 2018. The appeal site is located in the area 'City Centre and within the Canal Ring' and this area is identified as an area generally suitable and appropriate for accommodating a more intensive form of development,

including increased height. Section 4.1 of Appendix 3 advises that “*a default position of 6 storeys will be promoted subject to site specific characteristics, heritage/environmental considerations, and social considerations in respect of sustaining the inner-city residential communities. Where a development site abuts a lower density development, appropriate transition of scale and separation distances must be provided in order to protect existing amenities.*”

7.2.3. The hotel ranges from 2 to 6 storeys over basement, the apartment block from 2 to 5 storeys, and the townhouse is 3 storeys in height. While the scheme introduces an increase in height relative to the existing buildings on site, the general height and massing are consistent with existing and permitted developments within the area, including the Ashling Hotel (6 storeys), the Criminal Courts of Justice (c.10 storeys), Parkgate Business Centre (4 storeys), Parkgate Place apartment scheme (5 storeys) and the permitted development within the former Hickey’s site to the south (up to 30 storeys). I note Appendix 3 sets out a set of performance criteria (Table 3) which must be met in circumstances where significant increased height and density over the prevailing context is being proposed. I do not consider that the proposed development results in a significant increased height and density over the prevailing context.

7.2.4. The residential component of the proposed development has a stated site area of 0.166ha and includes 23 residential units (22 apartments and 1 townhouse), equating to a density of approximately 139 units per hectare. This is consistent with national and local policy for densities within the city centre, which includes Appendix 3 of Dublin City Development Plan 2022–2028 (density range of 100-250uph) and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (density range of 100-300uph). The overall plot ratio is 2.4:1, with a residential component of 1.3:1. This is slightly below the indicative standards for the Central Area (2.5–3.0), per Table 2 of Appendix 3 of the Development Plan. The proposed site coverage is 55%, which is also slightly below the indicative range within the Development Plan for the Central Area (60-90%). However, having regard to the infill nature of the site it is considered that a slightly lower plot ratio and site coverage is suitable in this instance.

7.2.5. Having regard to the foregoing, I consider that the proposed building height and density is in compliance with the provisions of the Development Plan policies and requirements.

### 7.3. Design

7.3.1. The appellants contend that the design of the hotel is homogenous and lacks any architectural innovation or merit. Section 15.4.2 of the Development Plan requires that the architectural quality of development should positively contribute to the urban design and streetscape through the use of high-quality materials and appropriate building form and should respect and enhance its context. The key principles include respecting the relationship of the development to the established architectural form, scale and pattern of the surrounding townscape and taking account of the existing rhythms, degree of uniformity, elevational composition and palette of materials and finishes. Infill development (Section 15.5.2) should complement the existing streetscape, respect/enhance the context and be well integrated with its surroundings to ensure a more coherent cityscape.

7.3.2. The applicant in their application documentation and response to appeal have set out that the design is based on a site and context specific response with strong design principles that will provide a highly attractive addition to the streetscape. The Architectural Design Statement submitted with the application illustrates the concept proposal and the design criteria which has informed the design. It is set out that the hotel has been carefully designed to integrate into the streetscape, with the façade divided into five distinct sections, reflecting the plot sizes along the Parkgate Street. The ground floor incorporates a variety of metal finishes and glass, ensuring passive surveillance while using graffiti-resistant materials. Upper floors feature a mix of brick finishes that reflect the character of the area.

7.3.3. The appellants also contend that the design of the townhouse interrupts the flow and rhythm of the street. The existing two-storey building at No. 29 is to be demolished to facilitate a new three-storey townhouse. The new dwelling largely aligns with the historic character of the adjoining properties in terms of materials/ finish (brick) and fenestration proportions. I consider that proposed townhouse integrates well into the

existing streetscape. I do not agree that the design of the townhouse interrupts the flow and rhythm of the street.

- 7.3.4. I have examined all the documentation before me and I acknowledge that the proposal will result in a change in outlook as the site changes from low rise, brownfield, underutilised lands to a site accommodating development of the nature and scale proposed. However, I consider that the proposal has been designed to be sensitive to the existing character of the surrounding area and will make a positive contribution to the streetscape.

#### 7.4. Heritage

- 7.4.1. The site of the proposed development directly adjoins a number of protected structures (Nos 17-22 Parkgate Street - Reg Ref 6314 and No 28 Parkgate Street - Reg Ref 6315). No alterations to these protected structures are proposed as part of the subject development. The application was supported by an Architectural Heritage Impact Assessment prepared by Tara Cooke Architects. The assessment concludes that *'given the scale of modern development that has already taken place in the area and of the approved development across the street at No. 42A Parkgate Street, most observers are also likely to regard new development on the site as consistent with existing or emerging trends and, therefore, giving rise to effects that are 'slight' to 'moderate' in extent.'*
- 7.4.2. The proposed development has been reviewed by the DCC Conservation Division. The Conservation Officer indicates that the submitted Architectural Heritage Impact Assessment is comprehensive and overall, the Division does not object to the scheme. The visual impact of the hotel and apartment development has been addressed. Efforts to mitigate the massing of street-facing hotel are acknowledged with the set back of the sixth storey and the division of the façade into several bays by providing colour and textural variation.
- 7.4.3. Policy BHA9 (Conservation Areas) seeks to protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. The subject appeal site, although located in Zone Z5 City Centre and is also entirely within the red hatched Georgian Conservation Area. The policy states, inter alia, that

*'development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible...'*. A number of enhancement measures are set out in the Policy which include *'Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.'* I consider the proposed development, is a significant improvement over the existing derelict car sales premises and associated car park. I consider that the proposed development positively contributes to the character and distinctiveness of the Conservation Area and seeks to protect and enhance the character of the Conservation Area.

- 7.4.4. The scheme does not adversely affect the Liffey Conservation Area or adjacent Protected Structures. Overall, the proposal is considered acceptable in terms of layout, design, integration and height and will contribute positively to the regeneration of Parkgate Street.

## 7.5. Daylight, Sunlight and Overshadowing

- 7.5.1. Section 5.3.7 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities require that when assessing daylight performance regard should be had to the quantitative performance approaches outlined in BRE Guide. The submitted documentation includes a Daylight and Sunlight Assessment prepared by IN2 Engineering. The report states that the analysis and assessments are based on the guidelines set out in the BRE guide (BR 209) "Site Layout for Daylight and Sunlight, A Guide to Good Practice" 2022 3rd Edition. A revised Daylight and Sunlight analysis was submitted at Further Information state study which accurately assessed the existing built context to the rear of dwellings on Montpelier Hill and which took account of the revised design and reduced massing on northern elevation of the proposed hotel.
- 7.5.2. The nearest sensitive receptors to the proposed development (Montpelier Hill (including Montpelier Mews Apartments), Infirmary Road, De Burgh Road and mixed-use and hotel properties on Parkgate Street) have all been considered. A Vertical Sky Component Assessment (VSC) assesses the expected loss of light experienced by existing windows from the introduction of the proposed development.

VSC is expressed as the ratio of the direct sky illuminance falling on the outside of a window, to the simultaneous horizontal illuminance under an unobstructed sky. The BRE guides outline that a VSC of 27% should achieve enough sky light, but that occupants of existing buildings will notice reduced daylight if VSC is both less than 27% and less than 0.8 times its former value.

- 7.5.3. The report indicates that a small number of windows (4no.) initially fell below the VSC threshold (27% or a reduction of more than 20% from baseline) within the Montpelier Mews development. The applicant's report referred to the BRE Guidelines which allows for the application of the 'mirror image' test in cases where windows are located 'unusually close to site boundaries and taking more than their fair share of light'. The applicant applied this approach to windows in Montpelier Mews. The assessment concludes that, when using the mirror-image test, all neighbouring windows are considered compliant with BRE criteria for VSC.
- 7.5.4. The submitted Daylight and Sunlight Assessment also included a 'Sun Hour On Ground' analysis to determine the impact of the proposed development on the nearest sensitive receptors. For existing outdoor amenity areas, the BRE guides recommend that at least 50% of the space should receive at least two hours of sunlight on 21st March. If, as a result of new development, the area which can receive 2 hours of sunshine on the 21st March is reduced to less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. The analysis shows that all amenity spaces of the nearest sensitive receptors achieve compliance with BRE's recommendations for Sun Hours on Ground.
- 7.5.5. I would accept, on the basis of the information available, that the applicant has adequately demonstrated compliance with BR 209 Guidelines and the proposed development would not adversely impact on residential amenities in terms of loss of sunlight, daylight or overshadowing.

## 7.6. Residential Amenity

- 7.6.1. Concerns have been raised from third parties with regards to impacts on residential amenity, specifically in relation to noise and food odours, disruptions from construction, hours of work, overlooking/privacy concerns and impact on views.

- 7.6.2. In relation to noise, I acknowledge that there will be some disruption during the course of construction works, including that from construction noise. Such disturbance is anticipated to be relatively short-lived in nature. I note the applicant has submitted a Construction and Environmental Management Plan and a final Plan should be submitted and agreed with the Planning Authority prior to the commencement of any works on site. It is not intended that any works would take place outside of typical construction hours. I consider that a standard condition can be attached to this effect. The nature of the proposal is such that I do not anticipate there to be excessive noise/disturbance once construction works are completed. I note plant is to be contained in 2 no. enclosed rooms. The applicant has also highlighted their need to ensure noise and disturbance is minimised for guests. The scheme has also been designed to ensure vents are located away from the boundaries of residential properties to the north. Vents will be properly designed and cowled to ensure emissions and odours are controlled.
- 7.6.3. The proposed hotel building will appear as 1-2 storeys projecting above ground level to the rear of the dwellings on Montpelier Hill. Separation distances vary along the length of the proposed development but in general are considered acceptable and in compliance with policy noting that the Development Plan requires assessment of separation distances on a case-by-case basis. The proposed main hotel block is 22m from the rear of the closest Montpelier Hill property, while the 5 storey aspects of the apartments will have a separation distance of c.14m from the rear of Montpelier Mews. As previously outlined, the northern elevation (rear) of the proposed hotel has been amended to reduce the number of rooms at the upper two levels. This has ensured that there are no windows directly overlooking the rear gardens of Montpelier Hill. The Planning Authority have also attached a condition with regard to fitting obscure glass to the windows serving stairs and corridors for the proposed apartments given the proposed siting and proximity of the development to rear and altered windows for one apartment (Unit B.01.05) to ensure no undue overlooking occurs. I note that the applicant has no issue with this and has outlined their intention to comply with said condition in the response to grounds of appeal. The applicant has also proposed that the rear elevations be finished fully in brick instead of render as was requested by a number of appellants. Revised drawings to this effect are included in the Response to Appeal, and the Commission is invited to

include a condition to this effect. I consider that such a condition should be attached in the interest of visual amenity.

7.6.4. The central terrace of houses along Montpelier Hill directly north of the motor sales area currently has unobstructed views south. Elsewhere along Montpelier Hill unobstructed views are not available. Montpelier Hill does not benefit from a key view or prospect designated under the Development Plan. Any increase in scale and height is invariably going to alter views for existing residents on Montpelier Hill. As outlined above the scale and height proposed is generally in keeping with existing and permitted development in the vicinity. A number of appellants have referenced the lack of photomontages to demonstrate the impact of the development. I note applicant has submitted a series of CGI views in an effort to demonstrate the massing of the proposed development. This is an urban location and a certain degree of overlooking and loss of views is to be anticipated at such a location. The site is brownfield in nature, underutilised and has been largely detracting from the streetscape for many years. Its appropriate redevelopment is to be welcomed and is in line with national policy with regards the appropriate redevelopment of such sites. On balance, I am satisfied that there is adequate separation between the proposed development and existing properties. I do not consider that the loss of views would impact on amenity to such an extent to warrant refusal.

7.6.5. A third party has raised an issue with regards to the location of a cycle path. I note no such cycle paths are proposed and I consider this a misinterpretation of plans.

## 7.7. **Traffic**

7.7.1. The scheme is car-free, with no on-site vehicular access or customer/resident parking proposed. The appellants have raised concerns that the lack of parking will result in extra traffic and congestion.

7.7.2. I note that DCC Transportation Planning Division have no objection to the car free nature of the development. I concur with the planning authority that given the extremely accessible location of the site, no provision should be made for parking. As outlined in the application documentation and response to the appeal, the site is ideal for public transport accessibility located within a short walking distance of Hueston Station, Red Luas Line and a large variety bus services that serve the city

and the region. The proposal also provides for 40 no. long term cycle space spaces (> 1 per bedroom) and 2 no. cargo bike spaces (5%) & 12 no. short term spaces (1 per 2 no. units) and 11 no. bike spaces for hotel staff members (provides for 55 no. staff, at 1 per 5 no. staff) in accordance with Development Plan standards.

7.7.3. A Delivery and Service Management Plan (DSMP) has been submitted with the application and provides information pertaining to how deliveries and servicing activity for the site will be coordinated/managed. Similarly, a Residential Travel Plan (RTP) has also been submitted which outlines many initiatives to encourage use of public transport and active travel. The Plan requires that a Travel Plan Coordinator is put in place to monitor any changes and trends within the development after completion. I would recommend should the Commission be minded to grant permission, a condition should be attached requiring the implementation of the Residential Travel Plan/Mobility Management Plan (MMP).

7.7.4. I am therefore satisfied that the traffic generated by the proposed scheme would not have an adverse impact on the capacity of the surrounding road network. Furthermore, I consider that the proposal would result in a positive outcome from an active travel perspective on the basis of the design of the development and measures contained in the RTP/MMP.

## 7.8. Other Miscellaneous Issues

### Precedent

7.8.1. I note the appeal submissions have included reference to a number of similar scaled buildings which have been refused permission by DCC/ACP.

7.8.2. I have reviewed these precedents and their respective contexts, I would consider that the context of these sites would differ to that of the appeal site. The subject site is considered highly accessible in terms of its location along Parkgate Street, providing direct access onto the City Quays and located adjacent to the red line Luas, Dublin Bus services, taxi ranks, and cycle paths. As noted above, the Dublin City Development Plan states *a default position of 6 storeys will be promoted within the city centre and canal ring*. The general height and massing are consistent with existing and permitted developments within the area. Therefore, I would consider

that the submitted precedents would not support a case for reduced height and scale on the appeal site below that permitted by the PA under the current application.

- 7.8.3. I note that a number of observations on the appeal have noted that permission has expired on the Hickey site. I note that there is an extensive planning history associated with this site and there are a number of extant permissions associated with the site. I note that ABP-310567-21 (relating to the Block A Tower & Amendments to the original application under to 306569-20) was granted permission for 8 years from the date of the order (October 2021). More recently a number of LRD applications have been granted permission in relation to the site. The Planners Report outlines the full planning history associated with the site.

#### Property prices

- 7.8.4. As previously outlined, it is clear that this brownfield site should be redeveloped, and it is inevitable that this will have impacts on surrounding properties. However, I have considered the impacts associated with the development and I do not consider that this would result in any unacceptable effects. Similarly, I do not consider that the proposed development would seriously injure the amenities of the area to such an extent that would adversely affect the value of property or inhibit the potential future development of existing properties.

#### Structural Issues

- 7.8.5. The third parties have expressed concerns that the proposed development during the construction phase could give rise to structural damage of adjoining properties in particular having regard to the retaining wall at the rear of 28-40 Montpellier Hill. A Construction and Environmental Management Plan and a Basement Impact Assessment have been submitted with the application. These plans set out commitment to best practice in terms of construction management and incorporate a number of mitigation measures to ensure that potential impacts and health and safety issues associated with the construction process are effectively managed, minimised and where possible eliminated. The Plans will also be the subject of consistent monitoring to ensure that any potentially adverse risks are adequately managed throughout the construction works. It is not anticipated therefore that the proposed development will pose a threat to the structural integrity of buildings in the

vicinity. I recommend that conditions be attached to ensure the implementation of these Plans.

## **8.0 Appropriate Assessment**

### **8.1. AA Screening Determination**

8.1.1. 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 it is not possible to exclude that the proposed development alone will give rise to significant effects on South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Dublin Bay SAC, North Bull Island SPA, and North-west Irish Sea SPA, in view of the conservation objectives. Appropriate Assessment is required.

8.1.2. This determination is based on:

- The nature and scale of the proposed works
- The potential connectivity between the application site and the European Sites via surface water emissions
- The nature and extent of the proposed mitigation measures, which may not be implemented in the absence of connectivity to a European Site.

8.1.3. The possibility of significant effects on any other European sites has been excluded on the basis of objective information. No measures intended to avoid or reduce harmful effects on European sites (including those included in the applicant's NIS) were taken into account in reaching this conclusion.

### **8.2. AA Determination**

8.2.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177V was required.

8.2.2. Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations and submissions received, I consider that adverse effects on site integrity of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

8.2.3. My conclusion is based on the following:

- The nature and scale of the proposed development; the location of the site at a significant distance from European Sites; and its limited hydrological connectivity with the European Sites.
- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for the relevant qualifying interests of South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA.
- Effectiveness of mitigation measures proposed in the Natura Impact Statement and the Construction & Environmental Management Plan
- Application of planning conditions to require that all relevant mitigation and monitoring measures shall be implemented.

## 9.0 Water Framework Directive

The subject site is located c.40m from the River Liffey. The site is connected via the local surface water network to the River Liffey and ultimately discharges to Dublin Bay.

The proposed development comprises the demolition of buildings on site, construction of a mixed-use hotel, an apartment block comprising 22 no. units and a single residential dwelling.

No water deterioration concerns were raised during the planning application or appeal.

I have assessed the proposed development 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 any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The nature of the development in an urban environment
- Implementation of standard construction measures

Refer to Appendix 5 below for WFD Impact Assessment Stage 1: Screening.

### **Conclusion**

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.

## **10.0 Recommendation**

10.1. I recommend that permission be granted for the following reasons and considerations.

## **11.0 Reasons and Considerations**

Having regard to the provisions of the Dublin City Development Plan 2022-2028, including the Z5 land use zoning objective for the area, and having regard to the scale, height, form, and design of the proposed hotel development, and to the pattern of development in the area including protected structures, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for an acceptable form of hotel and residential

development, and would not seriously injure the character and amenities of the area or of property in the vicinity. The proposed development would, therefore, accord with the proper planning and sustainable development of the area.

## 12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 2<sup>nd</sup> day of September 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

**Reason:** To protect the integrity of European Sites.

3. The mitigation measures contained in the submitted Basement Impact Assessment and Ground Movement Assessment shall be fully implemented.

**Reason:** In the interest of amenity and public safety.

4. The proposed development shall be amended as follows:

- a) All proposed windows on the north elevation serving stairwells and corridors shall be fitted with opaque glazing.

- b) Having regard to the shallow separation distance of the two-storey section of the apartment block, a pop-out or oriel style window shall be incorporated into Unit B.01.05 which would direct views from the bedroom towards the east and the secondary northern window, serving the living area, shall be replaced with a high-level window.

- c) The northern elevation of the Hotel shall be finished in brick.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual and residential amenity.

5. A schedule of all materials to be used in the external treatment of the development to include a variety of high-quality finishes, such as brick and stone, roofing materials, windows and doors shall be submitted to and agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

6. The developer shall comply with the detailed requirements of the Transportation Planning Division of Dublin City Council.

**Reason:** To ensure a satisfactory standard of development in the interest of public safety

7. Water supply and drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health

8. Prior to the commencement of development the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

9. Proposals for a street/development name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development

shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

**Reason:** In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

10. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within 5 years of planting shall be replaced in the first planting season thereafter.

**Reason:** In the interests of amenity, ecology and sustainable development

11. The development shall be carried out and operated in accordance with the provisions of the Residential Travel Plan submitted to the planning authority on 4<sup>th</sup> April 2025. The specific measures detailed in Section 10 of the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation of the development. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first 5 years following first occupation and shall submit the results to the planning authority for consideration and placement on the public file.

**Reason:** To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

12. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-

situ/excavation]. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

**Reason:** To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

13. Prior to the commencement of development, the applicant/developer shall submit, for written agreement of the planning authority, a specification and method statement for demolition of No 29 Parkgate Street to mitigate damage to the adjacent structures including the Protected Structure at No. 28 Parkgate Street.

**Reason:** In the interest of the protection of architectural heritage

14. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

15. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;

- (c) Details of site security fencing and hoardings;
- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) Measures to obviate queuing of construction traffic on the adjoining road network;
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) Provision of parking for existing properties at [specify locations] during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;

**Reason:** In the interest of amenities, public health and safety and environmental protection

16. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of proper planning and sustainable development.

17. 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.

18. Details of all external signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the amenities of the area/visual amenity

19. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

20. All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company. Details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally constituted management company would have responsibility, shall be submitted to, and

agreed in writing with, the planning authority before any of the residential units are made available for occupation. The management scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas.

**Reason:** To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

21. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In the interest of traffic safety and the proper planning and sustainable development of the area.

23. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**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.

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.

---

Ciara McGuinness

5<sup>th</sup> February 2026

## Appendix 1 - Form 1 - EIA Pre-Screening

<b>Case Reference</b>	PL-500137-DS
<b>Proposed Development Summary</b>	Demolition of buildings on site, construction of a mixed-use hotel, an apartment block comprising 22 no. units and a single residential dwelling. An NIS has been prepared in respect of the proposed development. Within the curtilage of protected structures.
<b>Development Address</b>	Nos 23, 24 & 29 Parkgate Street, Dublin 8
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in <b>Part 1</b> .  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Class 10 b) (i) Construction of more than 500 dwelling units.</p> <p>Class 10 b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a builtup area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)</p> <p>The proposed development includes 22 residential units and has an area of 0.35ha and is therefore subthreshold.</p>

<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b> <i>[Delete if not relevant]</i></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b> <i>[Delete if not relevant]</i></p>

## Appendix 2 – Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500137-DS
<b>Proposed Development Summary</b>	Demolition of buildings on site, construction of a mixed-use hotel, an apartment block comprising 22 no. units and a single residential dwelling. An NIS has been prepared in respect of the proposed development. Within the curtilage of protected structures.
<b>Development Address</b>	Nos 23, 24 & 29 Parkgate Street, Dublin 8
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<p><b>Characteristics of proposed development</b></p> <p>(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><b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b></p> <p>The site is an urban infill site in Dublin city centre. The proposal seeks to demolish the majority of the existing buildings on site. The existing structures, including the car showroom and car park, contribute little to the streetscape and do not enhance the visual or urban character of the area. Given the size of the proposed development, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the demolition, construction or operational phase due to the nature of the proposed development. The development, by virtue of its residential/commercial type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</p>
<p><b>Location of development</b></p> <p>(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><b>Briefly comment on the location of the development, having regard to the criteria listed</b></p> <p>The subject site is not located within or adjoining any environmentally sensitive sites or protected sites of ecological importance, or any sites known for cultural or historical significance. The site also has no connectivity to any environmentally sensitive sites. Owing to the serviced urban nature of the site and the urban consolidation of this city centre site, I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.</p>

<p><b>Types and characteristics of potential impacts</b></p> <p>(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><b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b></p> <p>The application site is a city centre urban site and is not located in or immediately adjacent to any European site. The site is located within a serviced urban area, and the site would be connected to public surface and foul sewers. I do not consider that there is potential for the proposed development to significantly affect other significant environmental sensitivities in the area. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects</p>
<b>Conclusion</b>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p> <p style="text-align: center;">✓</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p><b>Schedule 7A Information required to enable a Screening Determination to be carried out.</b></p>
<p>There is a real likelihood of significant effects on the environment.</p>	<p><b>EIAR required.</b></p>

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

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

## Appendix 3 - AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
<b>Step 1: Description of the project and local site characteristics</b>	
<b>Brief description of project</b>	Demolition of buildings on site, construction of a mixed-use hotel, an apartment block comprising 22 no. units and a single residential dwelling.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The proposed development site is a brownfield site located within Dublin City Centre that consists of disused low rise commercial buildings with an associated car park.</p> <p>The proposed development will be served by two new separate surface water gravity drainage systems to collect runoff from the roof &amp; paved areas; one to take the apartments &amp; associated hardstanding and the other to take the hotel &amp; associated hardstanding. Both systems will connect together at a final outfall manhole which will discharge to the surface water sewer on the southside of Parkgate St. This sewer discharges at the adjacent bridge abutment into the River Liffey.</p> <p>There will be a new foul drainage connection for the hotel to the 300mm combined sewer on Parkgate St. There will be a new foul drainage connection for the apartments inside the site to the existing 1290x630 combined sewer.</p> <p>Given the immediate proximity of the River Liffey to the proposed development site and the nature of the proposed excavation, demolition, construction and site clearance works, there is the potential for dust, surface water runoff and other construction pollutants to enter the River Liffey.</p>
<b>Screening report</b>	Yes (Prepared by Altemar Ltd)
<b>Natura Impact Statement</b>	Yes (Prepared by Altemar Ltd)
<b>Relevant submissions</b>	N/A
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>	
European sites were identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that the applicant included a greater number of European sites in their initial screening consideration, with sites within 15km of the development site considered.	

The following sites have been excluded given separation distances, the intervening lands and the lack of impact pathways;

- Glenasmole Valley SAC
- Wicklow Mountains SAC
- Wicklow Mountains SPA
- Rye Water Valley/Carton SAC

I have only included those sites with any possible ecological connection or pathway in this screening determination.

European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
South Dublin Bay and River Tolka Estuary SPA (004024)	<a href="#">ConservationObjectives.rdl</a>	4.5	Direct hydrological pathway	Y
South Dublin Bay SAC (000210)	<a href="#">ConservationObjectives.rdl</a>	5.5	Direct hydrological pathway	Y
North Dublin Bay SAC (000206)	<a href="#">ConservationObjectives.rdl</a>	7.5	Direct hydrological pathway	Y
North Bull Island SPA (004006)	<a href="#">ConservationObjectives.rdl</a>	7.5	Direct hydrological pathway	Y
North-west Irish Sea SPA (004236)	<a href="#">CO004236.pdf</a>	9.5	Direct hydrological pathway	Y
Baldoyle Bay SAC (000199)	<a href="#">Site_specific_cons_obj</a>	12	Remote indirect hydrological pathway	N
Baldoyle SPA (004016)	<a href="#">ConservationObjectives.rdl</a>	12.4	Remote indirect hydrological pathway	N
Howth Head SAC (000202)	<a href="#">ConservationObjectives.rdl</a>	13.3	Remote indirect hydrological pathway	N
Rockabill to Dalkey Island SAC	<a href="#">ConservationObjectives.rdl</a>	13.5	Remote indirect hydrological pathway	N

(003000)				
Malahide Estuary SAC (000205)	<a href="#">ConservationObjectives.rdl</a>	14.1	Remote indirect hydrological pathway	<b>N</b>
Malahide Estuary SPA (004025)	<a href="#">ConservationObjectives.rdl</a>	14.1	Remote indirect hydrological pathway	<b>N</b>

--

**Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites**

**AA Screening matrix**

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<b>Site 1: South Dublin Bay and River Tolka Estuary SPA (004024)</b>	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the River Liffey.</p> <p>During the Operational Phase, surface water will be discharged to River Liffey and there is potential for dust, silt, hydrocarbon, or other pollution.</p>	<p>In the absence of mitigation measures, the construction and operational stage emissions to the River Liffey have the potential for significant surface water quality effects for this SPA.</p>
	<b>Likelihood of significant effects from proposed development (alone):</b> Yes	
	<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b> N/A	
	Impacts	Effects
<b>Site 2: South Dublin Bay SAC (000210)</b>	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the River Liffey.</p> <p>During the Operational Phase, surface water will be discharged to River Liffey and there is potential for dust, silt, hydrocarbon, or other pollution.</p>	<p>In the absence of mitigation measures, the construction and operational stage emissions to the River Liffey have the potential for significant surface water quality effects for this SAC.</p>
	<b>Likelihood of significant effects from proposed development (alone):</b> Yes	
	<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b> N/A	
	Impacts	Effects

<b>Site 3: North Dublin Bay SAC (000206)</b>	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the River Liffey.</p> <p>During the Operational Phase, surface water will be discharged to River Liffey and there is potential for dust, silt, hydrocarbon, or other pollution.</p>	<p>In the absence of mitigation measures, the construction and operational stage emissions to the River Liffey have the potential for significant surface water quality effects for this SPA.</p>
<b>Likelihood of significant effects from proposed development (alone): Yes</b>		
<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A</b>		
<b>Impacts</b>		<b>Effects</b>
<b>Site 4: North Bull Island SPA (004006)</b>	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the River Liffey.</p> <p>During the Operational Phase, surface water will be discharged to River Liffey and there is potential for dust, silt, hydrocarbon, or other pollution.</p>	<p>In the absence of mitigation measures, the construction and operational stage emissions to the River Liffey have the potential for significant surface water quality effects for this SPA.</p>
<b>Likelihood of significant effects from proposed development (alone): Yes</b>		
<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A</b>		
<b>Impacts</b>		<b>Effects</b>
<b>Site 5: North-west Irish Sea SPA (004236)</b>	<p>During construction, there is the potential for dust, silt, and contaminated surface water runoff to enter the River Liffey.</p> <p>During the Operational Phase, surface water will be discharged to River Liffey and there is potential for dust, silt, hydrocarbon, or other pollution.</p>	<p>In the absence of mitigation measures, the construction and operational stage emissions to the River Liffey have the potential for significant surface water quality effects for this SPA.</p>
<b>Likelihood of significant effects from proposed development (alone): Yes</b>		
<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A</b>		
<b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b>		
<p>It is not possible to exclude the possibility that proposed development alone would result significant effects on effects on South Dublin Bay and River Tolka Estuary SPA, South Dublin</p>		

Bay SAC, North Dublin Bay SAC, North Bull Island SPA, and North-west Irish Sea SPA, from effects associated with potential pollution of surface water.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

**Proceed to AA.**

### **Significant effects cannot be excluded**

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 it is not possible to exclude that the proposed development alone will give rise to significant effects on South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Dublin Bay SAC, North Bull Island SPA, and North-west Irish Sea SPA, in view of the conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The nature and scale of the proposed works
- The potential connectivity between the application site and the European Sites via surface water emissions
- The nature and extent of the proposed mitigation measures, which may not be implemented in the absence of connectivity to a European Site.

The possibility of significant effects on any other European sites has been excluded on the basis of objective information. No measures intended to avoid or reduce harmful effects on European sites (including those included in the applicant's NIS) were taken into account in reaching this conclusion.

## Appendix 4 - AA Determination

### Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development in view of the relevant conservation objectives of South Dublin Bay and River Tolka Estuary SPA, South Dublin Bay SAC, North Dublin Bay SAC, North Bull Island SPA, and North-west Irish Sea SPA based on scientific information provided by the applicant.

The information relied upon includes the following:

- The Natura Impact Statement and Construction and Environmental Management Plan prepared on behalf of the applicant.
- The other plans and particulars submitted with the application and the response to the Further Information request.
- The submissions and observations received.
- The DCC Planning Authority Reports.
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2009).

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

### Submissions/observations

None from prescribed bodies.

Third party submissions do not raise the issues of Natura 2000 sites or Appropriate Assessment.

**Natura 2000 Sites: South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, North-west Irish Sea SPA.**

**Summary of Key issues that could give rise to adverse effects (from screening stage):**  
**(i) Water quality degradation (construction and operation)**

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary-inserted)	Potential adverse effects	Mitigation measures (summary)  NIS Table 7 and CEMP
<b>South Dublin Bay SAC</b>		Without the presence of mitigation measures there is a potential for downstream effects if significant quantities of dust, pollution or silt were introduced into the River Liffey via air, surface water runoff, and the surface water drainage network.	The CEMP will incorporate measures and that will be put in place by the Contractor during the construction phase and include, inter alia;
Mudflats and sandflats not covered by seawater at low tide.	<p><b>Maintain favourable conservation condition</b></p> <p>Habitat Area – Stable or increasing.</p> <p>Community Extent – Maintain community.</p> <p>Community Structure - Conserve the high-quality community.</p> <p>Community distribution - Conserve in a natural condition.</p>	Construction, excavation and demolition works have the potential for downstream impacts on aquatic biodiversity through the introduction of silt, dust and petrochemicals. Existing drainage networks on site, surface water runoff, haulage, storage of topsoil or works in the vicinity of the drainage networks on onsite could lead to dust, hazardous material, soil or silt laden runoff entering the adjacent river. Surface water runoff on site during construction may lead to silt or contaminated materials from site entering the River Liffey with downstream impacts on the SAC. If on-site	<p>Surface water drainage and ground water control measures</p> <ul style="list-style-type: none"> <li>• Filters and silt traps</li> <li>• Connections should be made under the supervision of the Local Authority/Irish Water</li> <li>• Surface water drains should be tested and surveyed prior to connection to the public sewer</li> </ul> <p>Noise/Vibration</p> <ul style="list-style-type: none"> <li>• Implement noise management programme</li> <li>• Plant will comply with regs in relation to noise and vibration</li> <li>• On site generators, compressors and site compounds to be located away from receptors.</li> </ul> <p>Dust</p> <ul style="list-style-type: none"> <li>• Best practice and reference to Air Pollution Act 1987.</li> <li>• Minimisation plan and monitoring regime.</li> <li>• Measures to include spraying, sweeping, chutes,</li> </ul>
Annual vegetation of drift lines. Salicornia and other annuals colonising mud and sand. Embryonic shifting dunes.			
<b>North Dublin Bay SAC</b>			
Mudflats and sandflats not covered by seawater at low tide	<p><b>Maintain favourable conservation condition</b></p> <p>Habitat Area – Stable or increasing.</p> <p>Community Extent – Maintain community.</p> <p>Community Structure - Conserve the high-quality community.</p>		

	Community distribution - Conserve in a natural condition.	concrete production is required or cement works are carried out in the vicinity of watercourses there is potential for contamination of watercourses. The use of plant and machinery, as well as the associated temporary storage of construction materials, oils, fuels and chemicals could lead to pollution on site or in adjacent watercourses.	loading and speed of vehicles, plant / equipment servicing, netting/hoarding.
Annual vegetation of drift lines, Salicornia and other annuals colonising mud and sand, Embryonic shifting dunes, Shifting dunes along the shoreline with Ammophila arenaria (white dunes), Fixed coastal dunes with herbaceous vegetation (grey dunes), Humid dune slacks.	<b>Restore favourable conservation condition</b>  Habitat Area – Stable / increasing.  Habitat distribution – No decline / change.  Physical structure - Maintain natural circulation, structure, tidal regime.  Vegetation structure - Maintain coastal habitats, structure and vegetation.  Vegetation composition - Maintain the presence of species-poor communities  Negative indicator species to be limited.	There is the potential for noise and vibration to impact upon birds protected as SCIs of the SPAs that may be feeding or resting on the River Liffey in locations proximate to the subject site. out of an abundance of caution, it is considered that there is the potential for visual, noise, and vibration disturbance impacts on bird species protected as SCIs of the SPAs that may be proximate to the proposed development during construction works  Mitigation measures are required to remove the potential of impacts the Qualifying Interests of these Natura 2000 sites from direct pathways via the River Liffey.	Wildlife Protection <ul style="list-style-type: none"> <li>• Noise, dust &amp; vibration control &amp; mitigation.</li> <li>• Turn off machinery when not in use</li> <li>• Lighting design and intensity to be controlled in the evening and at night</li> </ul> Pollution Control <ul style="list-style-type: none"> <li>• Road sweeping &amp; wheel wash facilities.</li> <li>• All oils/diesel to be located in appropriately bunded areas.</li> <li>• The location and size of stockpile areas for sands and gravel will be specified and identified on the maps.</li> <li>• Sediment runoff will be minimised by standard engineering measures including sediment skirts around soil stockpiles, sediment retention barriers in surface water drains and the use of adequate construction roads.</li> </ul> In addition to the measures outlined in the CEMP, the proposed mitigation measures also include, inter alia: <ul style="list-style-type: none"> <li>• All demolition and site clearance works methodologies will have prior approval of a project ecologist.</li> <li>• Local silt traps established throughout site</li> <li>• All onsite drainage network connections will be blanked off and sealed at the first</li> </ul>
Atlantic salt meadows, Mediterranean salt meadows	<b>Maintain favourable conservation condition</b>  Habitat Area – Stable or increasing.  Habitat distribution – No decline / change.  Physical structure - Maintain natural circulation, structure, tidal regime.  Vegetation structure - Maintain coastal habitats, structure and vegetation.  Vegetation composition - Maintain range of sub		
Petalwort	<b>Maintain favourable conservation condition</b>		

	<p>Distribution of populations – No Decline.</p> <p>Population size – No Decline.</p> <p>Area of suitable habitat – No decline.</p> <p>Hydrological conditions – Maintain.</p> <p>Vegetation structure – Maintain.</p>		<p>phase of the demolition works</p> <ul style="list-style-type: none"> <li>• The site compound will include a dedicated bund for the storage of dangerous substances including fuels, oils etc.</li> <li>• Refuelling of vehicles/machinery will only be carried out within the bunded area</li> <li>• Spill containment equipment shall be available for use in the event of an emergency.</li> <li>• A pre construction survey will be carried out for nesting birds on existing structures onsite</li> </ul>
<b>South Dublin Bay &amp; River Tolka Estuary SPA</b>			
Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover (proposed for removal), Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull	<p><b>Maintain favourable conservation condition</b></p> <p>Population trend – Stable or increasing.</p> <p>Distribution - No significant decrease in the range, timing or intensity of use of areas.</p>		
Roseate Tern, Arctic Tern	<p><b>Maintain favourable conservation condition</b></p> <p>Passage population – No significant decline.</p> <p>Distribution – No significant decline.</p> <p>Prey biomass available – No significant decline.</p> <p>Barriers to connectivity – No significant increase.</p> <p>Disturbance at roosting site – No adverse effect</p>		
Common Tern	<p><b>Maintain favourable conservation condition</b></p>		

	<p>No significant decline in Breeding population abundance, Productivity rate, Passage population, Distribution, Prey biomass available.</p> <p>No significant increase in barriers to connectivity.</p> <p>Disturbance – No adverse effects</p>		
Wetlands	<p><b>Maintain favourable conservation condition</b></p> <p>Habitat Area – Stable</p>		
<b>North Bull Island SPA</b>			
Light-bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone, Black-headed Gull	<p><b>Maintain favourable conservation condition</b></p> <p>Population trend – Stable or increasing.</p> <p>Distribution - No significant decrease in the range, timing or intensity of use of areas.</p>		
Wetlands	<p><b>Maintain favourable conservation condition</b></p> <p>Habitat Area - Stable</p>		
<b>North-west Irish Sea SPA</b>			
Red-throated Diver; Great Northern Diver; Fulmar; Manx Shearwater; Cormorant; Shag; Common Scoter; Blackheaded Gull; Common Gull; Lesser Blackbacked Gull; Herring Gull; Great Blackbacked	<p><b>Maintain/restore favourable conservation condition</b></p> <p>Population - No significant decline (or stable / increasing where objective is to 'restore' favourable condition).</p> <p>Spatial distribution – Sufficient locations, area, of suitable habitat.</p>		

Gull; Kittiwake; Roseate Tern; Common Tern; Arctic Tern; Guillemot; Razorbill; Puffin; Little Gull; Little Tern	Forage - Sufficient locations, area of habitat and biomass.  Disturbance - intensity, frequency, timing and duration at non-significant levels.  Connectivity barriers - number, location, shape and area of barriers do not significantly impact access.		
--	---	--	--

The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

**Assessment of issues that could give rise to adverse effects view of conservation objectives**

**(i) Water quality degradation**

There is a significant separation distance (5.5km) between the application site and the closest part of any of the Dublin Bay Natura 2000 sites, which offers potential for significant dilution of any potential pollutants. Furthermore, I consider that the size and transitional nature of the Liffey Estuary / Dublin Bay provides further significant capacity to assimilate/dilute any potential pollution.

In any case, having regard to the above and the nature and scale of the proposed development, I am satisfied that the application includes a suitably comprehensive range of mitigation measures. The measures relate to the construction and operational stages, and I am satisfied that they will ensure that any emissions to surface water will not affect the downstream water quality at Dublin Bay.

Accordingly, the mitigation measures are adequate to ensure that the integrity of any of the Dublin Bay Natura 2000 sites will not be affected. The mitigation measures should be applied as a condition of any permission.

**In-combination effects**

I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

**Findings and conclusions**

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, **or in combination with other plans and projects**, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented. They will prevent any residual effects and, as such, I am satisfied that there will be no significant in-combination effects.

#### **Reasonable scientific doubt**

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

#### **Site Integrity**

The proposed development will not affect the attainment of the Conservation objectives of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

#### **Appropriate Assessment Conclusion: Integrity Test**

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177V was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations and submissions received, I consider that adverse effects on site integrity of the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- The nature and scale of the proposed development; the location of the site at a significant distance from European Sites; and its limited hydrological connectivity with the European Sites.
- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for the relevant qualifying interests of South Dublin Bay SAC, North Dublin Bay SAC,

South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA.

- Effectiveness of mitigation measures proposed in the Natura Impact Statement and the Construction & Environmental Management Plan
- Application of planning conditions to require that all relevant mitigation and monitoring measures shall be implemented.

## Appendix 5 – Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
<b>An Coimisiun Pleanála ref. no.</b>	PL-500137-DS	<b>Townland, address</b>	Nos 23, 24 & 29 Parkgate Street, Dublin 8
<b>Description of project</b>		Demolition of buildings on site, construction of a mixed-use hotel, an apartment block comprising 22 no. units and a single residential dwelling.	
<b>Brief site description, relevant to WFD Screening,</b>		The subject site is located on urban/ brownfield lands. The application site is already a developed site, with several existing commercial buildings and car park. The site has an approximate area of 0.35 ha There are no watercourses or natural habitats on the site. The site is connected via the local surface water network to the River Liffey and ultimately discharges to Dublin Bay.	
<b>Proposed surface water details</b>		The proposed development will be served by two new separate surface water gravity drainage systems to collect runoff from the roof & paved areas; one to take the apartments & associated hardstanding and the other to take the hotel & associated hardstanding. Both systems will connect together at a final outfall manhole which will discharge to the surface water sewer on the southside of Parkgate St. This sewer discharges at the adjacent bridge abutment into the River Liffey.	

<b>Proposed water supply source &amp; available capacity</b>	It is proposed to connect to the Uisce Eireann mains water supply. A Confirmation of Feasibility has been received from Uisce Eireann.
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	There will be a new foul drainage connection for the hotel to the 300mm combined sewer on Parkgate St. There will be a new foul drainage connection for the apartments inside the site to the existing 1290x630 combined sewer. Confirmation of Feasibility has been received from Uisce Éireann.
<b>Others?</b>	The river Liffey is c.40m south of the site. The application is supported by a Site-Specific Flood Risk Assessment. The SFRA identified the site in Flood Zone C, outside the 1 in 1000-year fluvial flood extents.

**Step 2: Identification of relevant water bodies and Step 3: S-P-R connection**

<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>
River Waterbody	40m to the south of the site	Liffey_190 IE_EA_09L012 360)	Poor	At Risk	<ul style="list-style-type: none"> <li>• Urban Wastewater</li> <li>• Urban Run-off</li> </ul>	Yes – surface water drainage, surface run off
Groundwater Waterbody	Underlying site	Dublin: (EU Code: IE_EA_G_008)	Good	review	None identified	The site is mostly composed of artificial surfaces, the implementation of best

							practice construction methodologies and surface water treatment systems will ensure no groundwater infiltration.
<b>Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.</b>							
<b>CONSTRUCTION PHASE</b>							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	<b>Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.</b>
1.	Surface	Liffey_190 IE_EA_09L012 360	Surface water drainage and surface run off to Liffey	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
2.	Ground	Dublin: (EU Code: IE_EA_G_008)	Pathway exists but poor drainage characteristics	spillages	As above	No	Screened out

OPERATIONAL PHASE							
3.	Surface	Liffey_190 IE_EA_09L012 360	Surface water drainage and surface run off to Liffey	Hydrocarbon spillage/ pollution	SUDs features	No	Screened out
4.	Ground	Dublin: (EU Code: IE_EA_G_008)	Pathway exists but poor drainage characteristics	Spillages	SUDs features	No	Screened out
DECOMMISSIONING PHASE							
5.	NA						