



Development	Change of use from offices to a 71 bedroom hotel.
Location	100 George's Street Upper, Dun Laoghaire, County Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D25A/0623/WEB
Applicant(s)	Downton Ventures Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	<ol style="list-style-type: none">1. Century Court Residences CLG2. Denis Higgins3. Michael & Vanessa O'Mara and Others4. Edwin and Mary Gorry5. St. John of God Hospitaller Services Group
Observer(s)	<ol style="list-style-type: none">1. Maura O'Mara2. Thomas Molloy
Date of Site Inspection	5 th May 2026
Inspector	Phillippa Joyce

Table of Contents

1.0	Site Location and Description.....	3
2.0	Proposed Development.....	4
3.0	Planning Authority Decision	5
4.0	Planning History	8
5.0	Policy Context	9
6.0	The Appeal.....	12
7.0	Environmental Impact Assessment.....	19
8.0	Planning Assessment.....	20
9.0	Appropriate Assessment	33
10.0	Water Status Impact Assessment	34
11.0	Recommendation	34
12.0	Reasons and Considerations	34
13.0	Conditions	35
	Appendix 1: Environmental Impact Assessment – Pre-Screening	41
	Appendix 2: Environmental Impact Assessment – Preliminary Examination	42

1.0 Site Location and Description

- 1.1. The appeal site is located at 100 George's Street Upper, Dun Laoghaire. The site is a brownfield infill site, comprising several buildings within a mixed-use scheme named Century Court and Century House. The site is an inverted 'L' configuration and indicated as measuring c.0.2ha.
- 1.2. Positioned along the eastern boundary of the site are four buildings (Century House), referred to in the case documentation as Blocks A-D. These are attached buildings, four storeys in height, with staggered/ stepped building footprints. The buildings are in office/ education/ healthcare uses. Block A is the most southerly of the buildings and fronts onto George's Street Upper. Along the northern boundary of the site, is a six-storey apartment building (accommodating Apartments 1-27, Century Court). The southeastern corner of the apartment building abuts the northwestern corner of Block D.
- 1.3. Between the blocks and the apartment building at ground floor (street) level, is a shared courtyard area. Access to the courtyard is gained from George's Street Upper; pedestrian access is unrestricted, while vehicular access is controlled by a gate/ barrier. At the lower ground floor level of the scheme is a basement car park, access to which is also from George's Street Upper (gate controlled).
- 1.4. Access into the ground floor level of the blocks is achieved directly from George's Street Upper (e.g., post office in Block A), or from the courtyard area (e.g., Lucena Clinic, Blocks C/ D). Access to the upper floor levels (first to third) of the blocks is achieved from external double-staircases (located between Blocks A, B, and C) and a lift (sited between Blocks B and C). There is an external single-staircase at the corner of Blocks C and D which provides access to the first and second floor levels only. The apartment building is accessed via one of two main entrance doors directly from the courtyard area.
- 1.5. Adjacent to the west of the site is 101 George's Street Upper, accommodating the Bank of Ireland premises at ground floor level (with surface level car parking to the rear), to the east are 96-99 George's Street Upper, a terrace row of 2 and 3 storey over-basement properties (in commercial and residential use), and to the north by the Royal Marine Hotel complex. These adjacent buildings are designated as protected structures.

2.0 Proposed Development

2.1. The proposed development comprises the following elements:

- Change of use from office to hotel accommodation at first, second and third floor of Blocks A and B, and second and third floors of Blocks C and D (gross floor space indicated as 1,629sqm).
- Works include internal and external alterations to existing buildings as follows:
 - Internal modifications at first, second and third floor of Blocks A and B, and second and third floors of Blocks C and D to provide 71 hotel bedrooms, reception area and staff facilities.
 - Elevation changes include:
 - 2 no. fire escape doors on the north elevation of Block C and west elevation of Block D at second floor level and 2 no. entrance doors on the north elevation of Block A and west elevation of Block B at third floor level.
 - 2 no. windows on the south elevation and 2 no. windows on the east elevation of Block A and 1 no. window on the east elevation of Block B all at third floor level.
 - Bicycle parking at basement level.
 - Signage at first floor level.
 - All site and services works to facilitate the development.

2.2. During the assessment of the application, Further Information (FI) was requested by the planning authority (see Section 3.0 below for details). In response to the FI request, the applicant revised the proposed development. Key revisions to/ information received on the proposed development include:

- Details outlining the proposed management of the hotel operation (24-hour staffed reception, nighttime staff patrolling, advisory/ information role for guests).
- Revised floor plan drawing (Dwg No. A-PA06-Rev 1: Proposed Floor Plans) indicating changes to doorway widths in access points to ensure universal access through the blocks at second floor level.

- Revised floor plan drawing (Dwg No. A-PA07-Rev 1: Proposed Plan, Elevations and Sections) indicating changes to the car and cycle parking provision at the basement level (reduced from 24 to 12 car parking spaces, increased from 3 to 10 cycle parking spaces).
- Provision of a Traffic/ Transportation Assessment inclusive of a preliminary Mobility Management Plan/ Travel Plan, and Car and Cycle Parking Management Plan.

2.3. I consider there to be planning merit in the revisions made to and the supplementary information provided on the proposed development at FI response stage. I recommend to the Commission that regard is had to same in the assessment of this appeal.

3.0 **Planning Authority Decision**

3.1. **Summary of Decision**

3.1.1. The application was lodged with the planning authority on 11th August 2025. On 30th September 2025, the planning authority requested FI, which the applicant responded to on 22nd December 2025. On 26th January 2026, the planning authority issued a Notification of Decision to Grant Permission for the proposed development subject to 11 conditions.

3.2. **Planning Authority Reports**

3.2.1. Planner's Reports

Initial Assessment

The planner's report includes an assessment of the proposed development under the following headed items:

- Principle Of Development
- Climate Action
- Proposed Change of Use
- Residential Amenity
- Visual Impact
- Access, Parking, and Transportation
- Waste/ Environmental Health

- Drainage
- Protected Structure/ Conservation
- Third Parties

While the majority of the headed items are assessed as being acceptable, a number of items are identified as requiring design amendments, justification, and/ or further technical details. The initial assessment concludes with a recommendation that FI be requested from the applicant.

Further Information Assessment

A FI request issued to the applicant on three items including:

- Proposed Change of Use – Universal Access
- Residential Amenity – Management of the Hotel
- Access, Parking, and Transportation – Car and Cycle Parking, Traffic Impact Assessment, Mobility Management Plan, and Construction Management Plan

On assessment of the FI response, the planning authority found the response to be satisfactory, and that the proposed development would be acceptable under the previously outstanding headed items. The planning authority undertook screenings for AA and EIA, screening out the need for both assessments.

Recommendation

The planning authority concluded that the proposal would not adversely impact on the residential amenity of adjacent properties, would not detract from the character of the surrounding area, would comply with objectives in the development plan, and would accord with the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

Transport Planning: Initial report requests FI. Subsequent FI report has no objection subject to condition.

Drainage Planning: No objection subject to condition.

Environmental Enforcement/ Waste Management: No objection subject to condition.

Building Control: No objection subject to condition, and notices.

Conservation Division: No objection, no condition.

Public Lighting: No objection, no condition.

3.2.3. Conditions

The 11 conditions attached to the grant of permission include both bespoke and standard conditions, arising primarily from the technical reports.

The conditions which are bespoke in nature are as follows:

- Condition 2: Hotel management procedure, including provision of reception staff 24 hours a day, regular nighttime patrols, advice and information to customers regarding proximity to residents and noise levels.
- Condition 4: Maximum number of 12 car parking spaces to serve the proposed development.
- Condition 5: Deliveries, collections, servicing, loading or unloading associated with the proposed development to be undertaken within the site boundary or within nearby designated public loading bays.
- Condition 6: Final agreement on cycle parking provision, to accord with the planning authority requirements and standards, including determining suitability of access to basement and location of visitor cycle parking at surface level.
- Condition 10: Applicant/ contractor to prepare a Public Liaison Plan during the construction phase, including for the appointment of a Liaison Officer and provision of information to the community/ local residents.

While standard conditions include the following:

- Condition 3: Restriction on any additional signage to that which was applied for and permitted.
- Condition 7: Final agreement on a Construction Management Plan (traffic and transport related items).
- Condition 8: Applicant/ contractor to undertake construction phase measures to protect public roads.
- Condition 9: Final agreement on a Construction and Environmental Management Plan (environmental nuisance and waste related items).

- Condition 11: Provision of suitable and sufficient refuse facilities (meeting specified standards) including recycling facilities and waste segregation for the proposed development.

3.3. Prescribed Bodies

Environmental Health Office: No objection subject to condition.

Uisce Eireann: No report on case file.

3.4. Third Party Observations

3.4.1. The planning authority indicates 62 third-party observations were received during the assessment of the application, and summarises the key issues raised in the initial planner's report.

3.4.2. I have reviewed the submissions on the case file and confirm several of the issues raised therein continue to form the basis of the appeal case, which are outlined in detail in Section 6.0 below.

4.0 Planning History

Appeal Site

ACP Ref. PL57.092112, PA Ref. PR92/92 (parent permission)

Permission granted on appeal in 1994 to Vincam Ltd for 5 three storey office buildings with ground floor institutional/ commercial use, a 5 storey hotel extension totalling 4 floors of bedrooms over ground floor function rooms, a pedestrian access from George's Street over enclosed carpark, with access and egress from Haigh Terrace on a cleared site.

PA Ref. D95A/0263

Permission granted in 1995 to Vincam Ltd for 26 apartments in place of the hotel extension section of the scheme approved under PL570 92112, Plan Ref. No. PR92/93 for offices, hotel extension and underground carpark development.

PA Ref. D00A/0196, D01A/1105, D07A/0960

Permissions granted in 2000, 2002, and 2007 to St. John of God and Lucena Clinic for changes of use from office to health centre/ health clinic in Block D (ground to third floor levels).

PA Ref. D07A/1487

Permission granted in 2008 to Gannon Homes for a change of use from office to educational facility in Block C (second and third floor levels).

5.0 Policy Context

5.1. Dun Laoghaire Rathdown County Development Plan 2022-2028

5.1.1. The applicable development plan for the appeal case is the Dun Laoghaire Rathdown County Development Plan 2022-2028 (CDP). The CDP contains map-based designations and written based policy which establish the context for the proposed development.

5.1.2. The relevant CDP map-based/ mapped designations include:

- The site is zoned as Major Town Centre 'MTC' which seeks to:
'To protect, provide for and-or improve major town centre facilities'
- Protected structures are adjacent to/ in the vicinity of the site, including 96-99 George's Street Upper (east), 101 George's Street Upper (west), and the Royal Marine Hotel (north).
- The southern boundary of the site (along George's Street Upper) is located within 1: Town Centre Quarter of the George's Street Quarters (mapped in CDP Appendix 17: Interim Dun Laoghaire Urban Framework Plan).
- No other designations apply to the site (e.g., built or natural heritage).

5.1.3. The relevant CDP policy and objectives include:

- Chapter 4: Neighbourhood: People, Homes and Place
 - Policy Objective PHP41: Safer Living Environment
'It is a Policy Objective to facilitate the promotion and delivery of a safe environment for both the residents of, and visitors to, the County'

- Chapter 7: Towns, Villages and Retail Development
 - Policy in Section 7.5.1 Summary of the Overall Strategy, Table 7.2, indicates that for the Major Town Centre of Dun Laoghaire, the overall strategy is one of consolidation of the Town Centre Quarter (site partially located within).
 - Policy Objective RET5: Major Town Centres
 - 'It is a Policy Objective of the Council to maintain the two Major Town Centres - Dún Laoghaire and Dundrum – as the primary retail centres in the County and to support their evolving multifunctional role. The vitality of the towns will be enhanced by their mixed-use nature. In addition to retail, these centres must include community, cultural, civic, leisure, restaurants, bars and cafes, entertainment, employment and residential uses. Development shall be designed so as to enhance the creation of a sense of place.'*
 - Policy in Section 7.5.2 Major Town Centres identifies that Dun Laoghaire's retail offer (specialist retail scale, complemented by pop up retail activities) needs to be supported by a range of recreation, wellbeing, tourism, heritage, employment, health, culture and education uses.
- Chapter 12: Development Management
 - Policy in Section 12.3.5.2 Separation Between Blocks (reiterated in Section 12.8.7.1) acknowledges the requirement for acceptable separation distances between residential blocks (to avoid excessive overlooking effects and to provide sustainable residential amenity conditions). A minimum clearance distance of c.22m between opposing windows is referred to with allowance for reduced separation distances in certain instances (orientation and location in built-up areas, case-by-case basis).
 - Policy in Section 12.4.5 Car Parking Standards, Table 12.5 indicates a maximum standard of 1 parking space per 3 bedrooms for a hotel use in a MTC area such as the appeal site.
 - Policy in Section 12.9.3 Noise, Odour and Vibration Generating Uses indicates that developments with potential to generate noise (which might give reasonable cause for annoyance to persons in the neighbourhood) will be required to

demonstrate that consideration has been given in the design process to minimising the creation of noise or vibration.

- Chapter 13: Land Use Zoning Objectives
 - Major Town Centre 'MTC' Zoning Objective: 'To protect, provide for and/or improve major town centre facilities'.
 - Hotel/ motel is a permitted in principle use class.
 - Hotel/ motel is defined as a building or part thereof where sleeping accommodation, meal services and other refreshments are available to residents and non residents.

5.2. Natural Heritage Designations

5.2.1. The appeal site is not located in or immediately adjacent to a European site, a Natural Heritage Area (NHA) or a proposed NHA. There are no watercourses at or adjacent to the site.

5.2.2. The European site designations in proximity to the appeal site include (measured at closest proximity):

- South Dublin Bay and River Tolka Estuary SPA (site code 004024) is c.1.21km to the northwest.
- South Dublin Bay SAC (site code 000210) is c.1.41km to the northwest.
- Dalkey Islands SPA (site code 004172) is c.2.95km to the southeast.
- Rockabill to Dalkey Island SAC (site code 003000) is c.2.95km to the east.
- North-West Irish Sea SPA (site code 004236) is c.5.86km to the north.

5.2.3. There are pNHA designations that align/ crossover with European site designations above, including the:

- Dalkey Coastal Zone and Killiney Hill pNHA (site code: 001206) is c.310m to the northeast.
- South Dublin Bay pNHA (site code 000210) is c.1.21km to the northwest.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. This is a third-party appeal (five appellants, one representing a resident group) against the decision of the planning authority to grant permission for the proposed development. The appellants indicate addresses in the Century Court apartments, Stillorgan Co. Dublin, Blackrock Co. Dublin, and New Ross Co. Wexford.
- 6.1.2. The appeal grounds can be summarised under the following headed items:

Failings in Planning Authority Decision

- Third party concerns are re-cited, but planning authority has failed to analyse or provide any evidential basis for rejecting the concerns.
- Failure in the decision to give a single mention of or protection for the residential amenities of the 27 apartments.
- Failure to properly assess impacts on the Lucena/ CAMHS service operated by St. John of God (an appellant) on several floors in Blocks B, C, and D of Century Court.
- No assessment of noise impacts on therapeutic spaces, disturbance to vulnerable service users, disruption to clinical operations, or compatibility of hotel activity with mental health service provision.
- Failure to have regard to relevant matters (Tourist Traffic Acts and associated regulations) as required under sections 86(iii) and (vii) of the Planning and Development Act 2024.
- Overreliance on post-consent conditions to address issues such as hotel management, noise control, access, set down and servicing arrangements, pedestrian/ vehicular conflict, and unmanaged congregation.
- Conditions relying on staff patrols, guest advisories, and management assurances are subjective, not enforceable, and not a substitute for physical capacity or design solutions.

Shortcomings in the Application Plans and Particulars

- Apartments omitted from the elevation and context drawings, constituting a material defect in the application, preventing a full assessment in respect of residential amenity, undermining the planning authority's conclusion of no impact on same.
- Plans did not adequately depict the adjoining apartment building within the application site boundary, results in under-assessment of overlooking, privacy, noise and operational impacts, materially understates the relationship.
- Drawings do not present a complete or accurate representation of the operational relationship between the proposal and adjoining residential units (access arrangements, reliance on shared private forecourt).
- No impact assessments for noise or lighting despite proximity to existing dwellings, controlled night-time lighting of forecourt, and night-time arrivals/ departures of guests with luggage on cobbled/ metal surfaces.
- Application not supported by a Traffic Impact Assessment or detailed servicing or waste management strategy.
- Absence of a fire strategy or resident/ office workers impact assessment.
- No noise impact assessment, lighting impact assessment or acoustic mitigation strategy.
- No swept-path analysis provided to demonstrate waste collection and servicing vehicles can manoeuvre within the forecourt or access the basement ramp without obstructing residential access or the public road.
- No swept-path analysis or conflict assessment demonstrating safe set-down/ stopping location.

Nature and Management of Proposed Hotel Use

- Disputes the proposed 'hotel' use due to absence of typical hotel facilities, more akin to hostel in user profile, exhibits characteristics of intensive short-stay accommodation with high turnover.
- Mischaracterisation of use resulted in under-assessment of adverse impacts (guest activity, frequency of servicing, residential amenity).

- Unclear how guests will access basement facilities and shared controlled entry system safely without compromising residential security, gaining uncontrolled access to private residential infrastructure.
- Shared access system (into grounds, basement area) originally designed for fixed residential and office occupiers. Proposed development (high-turnover short-stay use) represents a material change in intensity and user profile.
- Potential implications for access control, security management and liability have not been assessed.
- Proposal represents a material intensification from daytime office use to 24-hour short-stay accommodation.
- No condition restricting the use to bona fide tourist accommodation (potential for alternative short-stay, quasi-institutional uses).
- Reference made to Tourist Traffic Acts and associated Registration and Renewal of Registration Regulations. Regulations are stated as setting the minimum size of single bedrooms in hotels at 12.5 sqm.
- Size and dimensions of proposed guest rooms not disclosed, analysis undertaken of floor plans, estimates 40 of the 71 bedrooms do not meet the minimum size.
- Hotel accommodation is substandard under the referred-to regulations, proposal not in accordance with the proposed planning and sustainable development of the area.
- Proposal materially alters the shared private forecourt from a low-intensity access space serving long-term residents and office users into a 24-hour circulation and congregation area for short-stay guests.
- Proposed use associated with increased risk of anti-social behaviour, loitering, smoking, late-night socialising and unmanaged gathering in a confined semi-enclosed space.
- Proposal includes for illuminated signage, introducing a permanent commercial feature into a shared residential space.
- Proposed conversion of four office buildings to hotel use would involve prolonged construction activity, absence of segregated construction routes, unworkable in terms of access, safety, and administration.

Adverse Impact on Residential Amenity of Apartments in Century Court

- Hotel guests are required to enter and exit the hotel building via the shared private forecourt, using existing external metal staircases and circulation areas.
- Forecourt is held in common ownership by the Management Company of Century Court, serves as a communal area for residents and occupants of Century Court.
- Forecourt is directly overlooked by more than 20 no. apartment bedrooms and 22 no. living areas. There is a deliberately limited lighting schedule (lighting on timer, on during early morning hours, off at c.11pm) to protect residential amenities.
- Hotel operations would require sustained night-time illumination for guest circulation, security patrols, signage visibility, etc. No light impact assessment undertaken.
- The introduction of the proposed 24-hour hotel use would fundamentally alter the established residential amenity of the shared forecourt.
- Bedrooms within the proposal directly face existing apartment bedrooms and living spaces across a narrow-shared forecourt, with separation distances significantly below accepted residential standards.
- Functional change to round-the-clock sleeping accommodation substantially alters the pattern and duration of overlooking. The proximity of opposing bedroom windows at limited distances creates a sustained and unavoidable loss of privacy.
- Disputes claim of lack of increased noise disturbance to apartment residents due to access arrangements via cobble locked courtyard and external staircases.
- Existing office use has a limited daytime occupation profile, historically avoided privacy conflict with adjoining apartments, proposal for 24-hour short-stay accommodation material intensification in overlooking and loss of privacy.
- Separation distances between directly opposing residential windows range from c.2.5m-8.5m (within the forecourt, along elevations facing the apartments), unjustified departure from development plan standard of 22m minimum separation distance (in CDP Section 12.8.7.1).

- When regard is also had to CDP Section 12.3.5.2 (policy to protect residential amenity, privacy and outlook), proposal represents an unacceptable relationship between short-stay accommodation and existing homes.
- No access from the public street but from the shared private courtyard, highly unusual access arrangement, introducing continuous activity, noise and disturbance to residents.
- Noise sources associated with short-stay accommodation are contrary to CDP Section 12.9.3 (policy relating to mitigating noise impacts on adjoining residential amenity).
- Proposal (access arrangements, use of shared forecourt area) conflicts with CDP Policy Objective PHP41 relating to promoting safety through appropriate design, layout and management of development.

Adverse Impact on Lucena/ CAMHS of Century Court

- Provision of a hotel with direct access to the shared private plaza/ forecourt area would impact the day-to-day running of the Lucena/ CAMHS clinic.
- Assumed peak operating and servicing times of the hotel collide with the operating times of the Lucena/ CAMHS clinic.
- Proposed use (hotel guests, taxis, deliveries and service vehicles) compromises patient privacy and dignity.
- Introduction of unmanaged interactions between vulnerable minors, transient hotel users, and servicing vehicles.
- Proposed use of the forecourt constitutes a material intensification of use, leading to a negative impact on the residential environment of the forecourt, a quality much valued by the appellant.
- Proposed development materially alters the character of Century Court, eroding the sense of security relied upon by the appellant and existing tenants.

Traffic Impacts and Safety Concerns

- Rejects assumption that hotel guests would predominantly arrive by public transport or on foot, due to the absence of designated set-down areas.

- Concern regarding hotel being serviced by HGVs via the private plaza, due to its being a pedestrian-dominated space.
- Location of cycle parking not demonstrated, subject to condition, unclear impact on shared forecourt area.
- Under-provision of car parking of just 12 spaces, risk of overspill parking to surrounding streets, exacerbating congestion and servicing conflicts.
- Servicing arrangements proposed on shared forecourt, not designed to function as a service yard, or accommodate regular rigid vehicle movements.
- No specific location (nearby public loading bay) has been secured, no evidence has been provided that such arrangements are operationally feasible in practice.
- No workable set-down arrangement for guest arrivals and departures has been demonstrated. These likely to stop at the forecourt entrance or on the adjoining public road, resulting in obstruction and congestion.
- Rejects assertion of no significant increase in traffic disruption on George's Street due to taxis or service vehicles.
- Opposes use by service vehicles of the underground car park (difficult vehicular movements) or the loading bay at Northumberland Avenue (not readily available).
- Refutes claim of servicing via drop off areas/ set down spaces at the front of the hotel or nearby, as no such spaces exist.
- Condition 5 is not feasible in practice due to physical layout, geometry, and constraints of the site (shared forecourt area, shared ramp with single point access/ egress, no dedicated service bay).
- Autotrack analysis submitted indicates vehicle movements in ideal conditions, assuming absence of pedestrians, residents' vehicles, cyclists, therefore not realistic.

Unspecified Conflict with Development Plan

- Proposal conflicts with objectives which seek to protect established community and healthcare facilities, ensure compatibility between adjoining uses, safeguard

residential and community amenity, and promote high-quality, safe urban environments (objectives not specified).

- Proposed access arrangements for hotel guests (via the shared forecourt) significantly damages the amenity of the existing communal areas and is against planning policy to safeguard residential development (policy/ objective not specified).

6.2. Applicant Response

6.2.1. A response has been received from the applicant on the appeals. Responses to the appeal grounds, as identified by the applicant, are made under the following headings:

- Inadequate architectural documentation and alleged inappropriate overlooking from close distance
- Community and residential amenity impacts
- Noise, light, risk of anti-social behaviour and 24-hour operational impacts
- Commercial signage and visual impact in a private courtyard
- Inadequacy of servicing arrangements
- Physical constraints of the forecourt
- Servicing via basement ramp is operationally unworkable
- Absence of a lawful or practical alternative (set down area)
- Reliability of management-based mitigation measures
- Construction phase community impact
- Nature and intensity of use
- Hotel Registration Issues
- Lucena Clinic/ CAMHS incompatibility

6.2.2. The key points made in the applicant's response to the appeals are considered, as relevant, in section 8.0 Planning Assessment of this report below.

6.3. Planning Authority Response

6.3.1. A response has been received from the planning authority on the appeal stating the grounds of appeal do not raise any new matter which, in its opinion, would justify a change of attitude to the proposed development.

6.4. Observations

6.4.1. Two observations have been received on the appeal case. The observers indicate addresses in a Century Court apartment and Clarinda Close, Dun Laoghaire. The key issues raised can be summarised as follows:

- Hotel windows will overlook those of apartments to an unacceptable degree, impacting privacy.
- Intensification of use and pedestrian activity impact on the amenity of the apartments.
- Increased noise at all times of the day, not considered in the decision.
- Existing levels of security impact on by guests.
- No consultation with residents, potential for hotel use to be changed in alternative planning processes.
- No sprinkler system in car park, a mandatory requirement for a hotel use.
- Proposal is totally unsuitable and not needed in such a quiet, confined residential area.

7.0 Environmental Impact Assessment

7.1. Screening for Environmental Impact Assessment

7.2. The proposal is of a class of development identified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended (2001 Regulations) for the purposes of Environmental Impact Assessment (EIA). Accordingly, I have undertaken a pre-screening exercise and preliminary examination of the proposed development (see Appendix 1 and Appendix 2 respectively of this report below).

7.3. By taking into account the nature and scale of the proposed development, the location of the site on zoned and serviced lands within an existing built-up area and outside of any sensitive and/ or designated location, the existing pattern of development in the vicinity, the information and reports submitted as part of the application and appeal, and the criteria

set out in Schedule 7 of the 2001 Regulations, I have concluded that there is no real likelihood of significant effects on the environment arising from the proposed development, and that the need for an EIA and the submission of an EIAR is not required.

8.0 Planning Assessment

8.1. Introduction

8.1.1. Having reviewed the appeals, examined the documentation on the case file, inspected the site, and had regard to the relevant policy context, I consider that the main issues in the appeal to be as follows:

- Principle of Development
- Proposed Use
- Design and Visual Amenity
- Residential Amenity
- Impact on Other Users
- Access, Traffic and Transport
- Other Matters

I propose to address each item in turn below.

8.2. Principle of Development

Zoning and Use Class

8.2.1. The appeal site is zoned as Major Town Centre 'MTC', the objective for which is 'To protect, provide for and/ or improve major town centre facilities'. The proposed development seeks a change of use from office use to hotel use.

8.2.2. The CDP includes a description of the 'hotel/ motel' use class as a building or part thereof where sleeping accommodation, meal services and other refreshments are available to residents and non-residents. The CDP indicates that this use class is permitted in principle under the MTC zoning objective.

8.2.3. Appeal grounds include questioning and disputing whether the proposed development is a hotel use. While discussed in greater detail in the following subsection, in short, I consider

that the proposed development (change of office floorspace (across the first to third floor levels in parts of Blocks A-D) to hotel accommodation with a managed reception area) comes within the scope of the CDP description for hotel. Accordingly, I find that the proposed development is acceptable in principle.

Multifunctional role of Dun Laoghaire

- 8.2.4. Adverse impacts on residential amenity feature strongly in the appeal grounds. The proposed development is described as being in material contravention of/ contrary to development plan policy relating to residential amenity. While I acknowledge same and discuss these in greater detail in subsection 8.5 below, I highlight that the site (including the Century Court apartments) is not zoned for residential purposes.
- 8.2.5. The site is zoned as Major Town Centre 'MTC', and there are only two such designations in the county; in Dun Laoghaire and Dundrum. I consider the CDP vision and policy context for the MTC zonings (limited in number and specific in nature) to be material considerations in the assessment of this appeal case.
- 8.2.6. The wider CDP vision for Dun Laoghaire is to ensure the town serves a multifunctional role, offer a wide array of uses and experiences (retail, social, leisure, and cultural) and be supported by the necessary infrastructure. More specifically, the site is partially located within the Town Centre Quarter of the George's Street Quarters, the policy context for which is to consolidate the area's core retailing function.
- 8.2.7. The proposed development is for a hotel operation offering guest accommodation in c.70 rooms under 24-hour management. The site is a highly accessible major town centre location served by various transport modes and convenient to a range of retail, leisure, cultural uses and experiences. By offering sleeping accommodation, the proposal would ensure these uses and experiences are supported, utilised, and attended by visitors and tourists to the town.
- 8.2.8. Accordingly, I consider that the proposed development would achieve the site's zoning objective (by providing and improving major town centre facilities), support the town's important retail role, facilitate the multifunctional role envisaged for the town, and sustain the town's future growth (as required in CDP Policy Objective RET5: Major Town Centres, policy in Section 7.5.2 Major Town Centres).

Conclusion

8.2.9. In conclusion, I consider that the proposed development accords with the MTC zoning objective for the site, is a permissible use class, and materially complies with applicable CDP policy for the area. As discussed in the applicable subsections below, I do not consider that the proposed development constitutes a material contravention of the development plan as submitted in the appeal grounds.

8.3. **Proposed Use**

8.3.1. Appeal grounds relating to the proposed use include that the proposal does not conform with a traditional hotel format, the rooms do not comply with legislative standards for hotels, the proposal is instead a hostel, impacts have been under-assessed, and no condition has been attached restricting the use to bona fide tourist accommodation.

Hotel and Hostel Use Classes

8.3.2. Of the appeal grounds disputing the proposed hotel use, as discussed previously, the CDP provides a description of a 'hotel' as a building or part thereof where sleeping accommodation, meal services and other refreshments are available to residents and non-residents. I consider that the proposed development comes within the scope of this description. Sleeping accommodation is being proposed and, while I acknowledge that kitchen/ dining spaces offering traditional meal services are not proposed, opportunities for 'other refreshments' to residents/ non-residents are possible from a review of the indicated floorspace.

8.3.3. Of claims that the proposal is more akin to a hostel (described by appellants as being short-stay, transient accommodation), I have had regard to the provisions of the CDP. 'Hostel' (no detailed description given) is listed as a format within the 'residential institution' use class, alongside monastery, convent and nursing home. I do not agree with appellants, and do not consider that the proposed development comes within the scope of a residential institution.

8.3.4. In its assessment, the planning authority accepted the hotel use and welcomed the different range in hotel accommodation offer to be made available in the town. In the appeal response, the applicant refutes appellants' claims, reconfirms the proposed hotel use, and refers to an existing hotel operated by the applicant which is of a similar format (room sizes, offer of facilities, controlled by Failte Ireland (applicable regulatory body)).

- 8.3.5. I concur with the positions of the planning authority and applicant. On review of the plans and particulars, I consider the hotel accommodation could offer and/ or cater for guest stays of varying lengths and would not automatically be only for short-stay trips. As with any hotel operation, the length of guest stay would be market driven and user dependant.
- 8.3.6. An appellant has undertaken an exercise measuring the bedrooms from the floorplans and estimating the areas of same. The appellant criticises the planning authority's assessment, states that the Tourist Traffic Acts apply to the proposal, and refers to standards in the associated Registration and Renewal of Registration Regulations. Arising from which, the appellant submits that 40 of the 71 bedrooms fail to meet the minimum size for single bedrooms in hotels, the accommodation is therefore substandard, and not in accordance with the planning and sustainable development of the area.
- 8.3.7. While I note the appeal grounds, I do not concur with the appellant. The matters raised (applicable tourism legislation, hotel accommodation standards, non-compliance with same) are outside of the scope of the planning process. Necessarily and appropriately, it would be for the relevant regulatory body(ies) to determine the applicable legislative code(s) and whether the hotel operation would satisfy the requirements of same. That being, the planning issue of relevance to use class¹ is whether the proposed hotel use is an appropriate use at the appeal site which is subject to the Major Town Centre 'MTC' zoning objective.

Conditions

- 8.3.8. Appellants criticise the planning authority's failure to attach a condition restricting the use to bona fide tourist accommodation, which would thereby prevent alternative short-stay, quasi-institutional uses. On the matter of conditions, the Commission will be familiar with the guidance in the section 28 Ministerial Guidelines, Development Management Guidelines for Planning Authorities, 2007. Section 7.3 outlines the basic criteria for conditions, which includes their being necessary, relevant to planning, relevant to the development to be permitted, and enforceable.

¹For the Commission's clarity, the appellant refers to section 86 of the Planning and Development Act 2024 Act and matters to which regard is to be had in assessing a proposed development. I note that, at present, this section of the 2024 Act is not in effect. Notwithstanding, I confirm to the Commission that I have considered the matters and, for planning purposes, find same not to be applicable.

- 8.3.9. While the description of development and plans and particulars in the appeal case are clear (i.e., reference is made to hotel use with commitments made by the applicant to the management of the operation in the planning application and appeal documentation), I consider a condition expressly relating to the implementation of the proposed use to be necessary and relevant. I recommend the inclusion of such a condition (with sub-items) in the interests of clarity and to protect the amenities of the area.
- 8.3.10. While appellants also criticise the planning authority's reliance on post-consent conditions to manage the proposed development, I do not agree. Conditions relating to the management and operation of uses can be standard in nature and regularly applied (e.g., in student accommodation schemes). I am satisfied that the wording of and reasoning for the condition (with sub-items) that I recommend to the Commission in this appeal case, complies with the requirements of the guidelines.

Conclusion

- 8.3.11. In conclusion, I consider that the proposed development has been adequately described and indicated in the plans and particulars of the planning application and appeal documentation. Subject to condition, I consider that the proposed change of use from office to hotel use, and the provision of hotel accommodation at the site, can be implemented without causing injury to or adversely affecting the amenities of the area.

8.4. Design and Visual Amenity

- 8.4.1. Appeal grounds relating to design and visual amenity include opposition to the illuminated signage, described as introducing a permanent commercial feature into a shared residential space. I also identify for the design of the proposed works (new windows and doors) to the existing buildings.
- 8.4.2. The proposed signage comprises two signs at the western corner of Block A. The signs are erected at first floor level and project from the southern and western elevations. The signs are rectangular in shape, measuring c.1.3m in length, 0.25m in width, and 0.1m in depth. An additional sign is proposed adjacent to the main entrance door (western elevation of Block B, first floor level).
- 8.4.3. While there is opposition to the signage and the commercialisation of the shared courtyard area, I consider the nature and extent of the signage to be reasonable and acceptable for this major town centre location. The signage is located at first floor level not at ground/

street level and serves a necessary directional purpose. In having undertaken my site inspection, and noting the commercial nature of George's Street Upper, I do not consider that the signage as proposed would be injurious to the amenities of the area.

- 8.4.4. However, I consider the proposed signage to be a sufficient to serve the proposal. In having regard to the access arrangements from the shared courtyard area, and the architectural heritage in the vicinity, the buildings (i.e., windows, doors, staircases, railings) and site frontage along George's Street Upper could be vulnerable to additional signage. As such, while I note Condition 3 of the planning authority's decision, for the avoidance of doubt, I recommend that any further signage in/ on existing buildings and in the site is expressly restricted by condition.
- 8.4.5. The nature and extent of the proposed signage, and newly proposed windows and doors are indicated in Dwg No. A-PA07-Rev 1: Proposed Plan, Elevations and Section of the FI response. The design and visual impact of the signage have been discussed above. The proposed windows and doors are acceptable in terms of design, positioning, and external treatment, being consistent with and complementary to those of the existing buildings (in particular the rooflights in the mansard roof plane fronting onto George's Street Upper).

Conclusion

- 8.4.6. In conclusion, I consider the architectural design and treatment of the proposed works (signage, fenestration and door insertions) to be acceptable. Subject to condition, these can be absorbed without adversely impacting on the character of the existing buildings or the visual amenities of the area.

8.5. **Residential Amenity**

- 8.5.1. Appeal grounds relating to residential amenity include adverse impacts arising from overlooking and loss of privacy, increased use of and longer hours of activity in the courtyard area, disturbance from increased noise and light pollution, and disruption associated with construction phase activities.
- 8.5.2. In respect of overlooking and loss of privacy, I note that the planning authority did not identify any issue, nor include any condition addressing same. I consider the potential for overlooking and a loss of privacy to be associated with a small number of existing windows in the northern elevations of Blocks C and D (the hotel use is only proposed at second and third floor levels at this location) and windows of the opposing apartments at the

corresponding floor levels. Potential for overlooking and loss of privacy caused to apartments any further west in the site is not anticipated due to separation distances, building alignments, and oblique angles from windows.

- 8.5.3. In addressing the potential for overlooking, I have had regard to applicant's appeal response on the matter. The applicant identifies two rooms at second floor level (C2.04 and D2.03) and one at third floor level (C3.04) with windows that oppose apartments to the north. The applicant proposes that these windows can be obscured as the rooms are served by other windows with different aspects. I consider the proposed solution to adequately address the potential for overlooking, and recommend such measures be specified by condition. The applicant proposes the use of frosted window film to obscure the existing windows; however, to best protect the amenities of occupiers of the hotel accommodation and of opposing residential property, I recommend that windows with obscure glazing be permanently fitted.
- 8.5.4. In respect of the change in character of the courtyard area, I acknowledge that the proposed hotel use has the potential to increase the frequency and extend the hours of activity in the courtyard area. However, in my opinion, the proposed change of use does not automatically correlate with an adverse impact on or undue injury being caused to the residential amenity of adjacent properties.
- 8.5.5. At present, the overall scheme is a mixed-use development with various uses and associated users entering and exiting the site and blocks via the shared courtyard area, unrestricted throughout a notable portion of any given day or week. Further, I note that the proposed hotel will be accessed from the double staircases (located between Blocks A, B, and C) and/ or a lift (sited between Blocks B and C). As highlighted in the applicant's appeal response, the main entrance is c.23m from the front of the apartment building and guests would have no reason to go further into the courtyard area, closer to the apartment building.
- 8.5.6. In respect of disturbance associated with noise pollution, as discussed above, while the proposed change of use may increase activity in the courtyard area, any such activity will be mainly between George's Street Upper/ public realm and the main entrance point, rather than in the vicinity of the apartment building.
- 8.5.7. Key to addressing appeal grounds relating to noise disturbance, are the proposals to manage the hotel operation outlined in the applicant's FI response on the issue (reception

staffed on a 24-hour basis, support staff undertake regular patrols during night-time hours to control noise and/ or nuisance, and staff advise guests of minimum noise levels). In similarity with the approach taken by the planning authority, I recommend the use of a condition to manage the implementation of the proposal (as committed to by the applicant) as a way of effectively controlling any noise associated with the proposal. While I acknowledge the appellants' criticism of the reliance on conditions to manage same, as discussed in subsection 8.3 above, the use of post-consent conditions in this manner is standard in approach and suitably effective.

- 8.5.8. Of concerns raised regarding increased lighting use in the shared courtyard, I consider that these are items (e.g., timing of lighting, direction of beams, use of sensors) which would be necessarily and appropriately agreed with the management company for the overall scheme (which appellants state they are members of), and indeed any future operator of the hotel. The nature and extent of the current lighting system serving residents of the apartments (as described by appellants) may prove to be sufficient for the hotel use/ align with the main operational hours. In effect, these are matters for the involved parties and are outside of the planning process (as evidenced by the content of the report of the planning authority's Public Lighting section).
- 8.5.9. In respect of construction phase activities, while I note the concerns raised, such activities are temporary in duration, reasonably expected in undertaking any development, particularly in brownfield locations such as the appeal site, and will be managed. Conditions 7, 8, and 9 of the planning authority's decision relate to the construction phase process, requiring construction management plans to separately address traffic and environmental waste issues.
- 8.5.10. I consider that these conditions can be adequately and appropriately addressed by the An Coimisiún Pleanála (ACP) model condition for same, requiring final agreement on a single Construction and Environmental Management Plan (CEMP) with the planning authority, thereby also allowing for clarity and ease of reference for third parties. I also recommend the attachment of the ACP model condition specifying the working hours of the construction phase.
- 8.5.11. I note the requirements of the planning authority's bespoke Condition 10 requiring the preparation of a Public Liaison Plan for the duration of the construction works and

involving the appointment of a Liaison Officer as a contact point for residents. I consider there to be merit in this condition and recommend it be attached to a grant of permission.

Conflict with Development Plan

- 8.5.12. Appeal grounds include the proposal being a material contravention of/ contrary to/ in conflict with CDP policy and objectives relating to residential amenity. While some statements are made generally and do not identify any specific policy or objective, other appeal grounds cite CDP Policy Objective PHP41 (safe living environments), policy in Sections 12.3.5.2 and 12.8.7.1 (minimum c.22m separation distances between residences (which I note is not applicable to hotel accommodation)), and in Section 12.9.3 (potential noise generating developments to minimise noise creation).
- 8.5.13. For the reasons outlined above, I consider that the proposed development incorporates design features and/ or requirements by condition which will ensure the proposal will be implemented without causing undue injury to the amenity of adjacent residents. Accordingly, I do not consider the proposal to be contrary to any applicable provisions of the development plan.
- 8.5.14. Finally, in the interests of clarity, appeal grounds include criticisms that the apartment building was omitted from the plans and particulars and the extent of impact on the residential amenity of the adjacent apartments has not been properly considered. While I note the criticisms, I confirm to the Commission that in undertaking my assessment of this appeal case, the proximity to and relationship between the blocks and the apartment building has been apparent and evident (on review of the site location map, site layout plan, ground floor plan, site inspection, aerial photography, third party appeals, and applicant's appeal response).

Conclusion

- 8.5.15. In conclusion, while the proposed development has the potential to change the receiving environment for adjacent residents, adverse impacts to their residential amenity, such that would warrant refusal of permission, are not reasonably anticipated. Subject to condition, the proposal will provide new hotel accommodation at a major town centre location in a managed operation without causing undue injury to adjacent residences.

8.6. Impact on Other Uses

- 8.6.1. Appeal grounds relating to the impact of the proposal on other uses include concerns raised by an appellant, St. John of God, operator of the Lucena/ CAMHS clinic located at ground and first floor levels of Blocks B, C and D.
- 8.6.2. Opposition cited by the appellant to the hotel use includes interference with the operation of the clinic, intensification of the use of the shared forecourt area, security concerns for users of the clinic, potential for unmanaged interactions between vulnerable minors, transient hotel users, and servicing vehicles, and change in the character of the overall scheme. The appellant is critical of the planning authority, stating it failed to have considered and assessed the stated impacts.
- 8.6.3. While I acknowledge the appeal grounds and concerns raised by the appellant, for reasons similar as to why I find that the proposed development is acceptable in terms of residential amenity, I consider the proposed development to be acceptable with regard to the healthcare use operated by the appellant.
- 8.6.4. The appeal site, inclusive of the Lucena/ CAMHS clinic operation, is zoned for Major Town Centre 'MTC' purposes. The MTC zoning has among the most numerous and widest range of 'permitted in principle' use classes of the CDP zoning objectives (Chapter 13). These include both the proposed development, a hotel, and that of the appellant's operation, a healthcare facility.
- 8.6.5. In the context of the MTC zoning objective, it is reasonable that the permissible use classes would adapt and operate according to the context. By way of comparison, I note the difference in the policy context had the appeal site been subject to one of the residential zoning objectives instead of the MTC zoning objective. Under the residential zonings, healthcare facility use class is permitted in principle while hotel is open for consideration. That being, there is no policy context for which permission could reasonably be refused for the proposed development based on the nature of the concerns cited by the appellant.

Conclusion

- 8.6.6. In conclusion, the proposed development has the potential to change the receiving environment as presently experienced by operators and users in the overall scheme. However, the potential changes are not considered to be of a nature and extent which would reasonably justify refusal of permission. Potential construction and operation phase

impacts can be controlled and appropriately managed by way of condition for all users within the overall scheme, including those attending the appellant's healthcare facility.

8.7. Access, Traffic and Transport

- 8.7.1. Appeal grounds relating to access, traffic, and transport include concerns regarding set-down arrangements for guest arrivals and departures, opposition to proposals for servicing the hotel operation, dispute of the extent of public transport use by guests, an under-provision of on-site car parking spaces with overspill car parking demand, resultant traffic congestion on George's Street Upper, and unclear cycle parking provisions.
- 8.7.2. Of the key concerns relating to the access arrangements for guests and servicing vehicles, I have reviewed the application and appeal documentation, and the internal reports of the planning authority. In the FI response, the applicant provided a Traffic/ Transport Assessment (TTA) undertaken by traffic consultants, which includes a Mobility Management/ Travel Plan, and a Car and Cycle Parking Management Plan.
- 8.7.3. The TTA outlines the proposed access and servicing arrangements using a combination of the courtyard area, underground car park, and nearby loading bays. Notwithstanding the criticisms by appellants regarding a lack of information on the matter, including swept path analysis, I consider the TTA and supporting plans indicating the achievement of service vehicle movements, to be sufficiently detailed.
- 8.7.4. In my opinion, and following review of the technical expertise of the planning authority's transportation section, I consider that the applicant has adequately demonstrated that the proposal can be serviced from within the site (surface level, basement parking) and from nearby loading bays on George's Street Upper and Northumberland Avenue (publicly available for all users of businesses in the area).
- 8.7.5. Of on-site car and cycle parking provision, in the FI response the layout and number of spaces were revised at basement level. A total of 12 no. car parking spaces (including one space for servicing/ delivery use) and 10 no. cycle parking spaces are proposed. Condition 6 of the planning authority decision requires final agreement on the cycle parking spaces (requirement for a surface level provision for visitors, clarity on access via the ramp to the basement).
- 8.7.6. The planning authority indicates satisfaction with the car parking provision, finding same to comply with the CDP requirements. I agree (noting the CDP car parking standard of 1

parking space per 3 bedrooms for a hotel use in a MTC area is a maximum provision), considering the on-site provision of 12 no. dedicated spaces is sufficient for the nature of the hotel operation.

- 8.7.7. While I acknowledge the concerns regarding the potential for overspill parking demand in the surrounding area, I consider that the likelihood for same is low. This is due to the extent of on-site provision for the proportion of guests likely to arrive by private car, the major town centre location (which is unarguably a highly accessible location reachable by a variety of transport modes), and the controlled nature of parking on the surrounding roads. Any incidence of overspill parking to roads or locations where to do so is illegal and would be a matter requiring enforcement by relevant statutory bodies.
- 8.7.8. The planning authority permission includes standard and bespoke transportation conditions. Standard transportation conditions have been discussed previously in respect of the CEMP and construction phase requirements.
- 8.7.9. Bespoke Conditions 4, 5, and 6 relate to car parking provision, servicing of the proposed development (to be undertaken within the site boundary or within nearby designated public loading bays), and final agreement on cycle parking. Reasons given for the conditions include in the interests of sustainable transportation and traffic safety. Condition 6 relating to final agreement on cycle parking has been discussed previously, and I recommend its continued inclusion in a grant of permission.
- 8.7.10. The planning authority's Conditions 4 and 5 relate to the manner in which the proposed development shall operate. I consider both bespoke conditions to be necessary and relevant to the proposal and recommend their continued attachment to a grant of permission. These conditions are, for the most part, statements of fact. I am satisfied that these conditions (subject to minor amendments to improve efficiency and effectiveness) can be appropriately grouped within the condition relating to the implementation of the proposal. Such an arrangement also allows for clarity for all parties.
- 8.7.11. I highlight that part of Condition 5 requires final agreement with the planning authority on the manner by which the conditioned servicing arrangements for the proposal will be undertaken. I consider this to be reasonable, and I recommend that securing final agreement on same with the planning authority can be grouped with that relating to the cycle parking.

Conclusion

8.7.12. In conclusion, I do not consider there to be any access, traffic or transport related impediment to the development of the proposal. Subject to the attachment of appropriate conditions, no planning issues or adverse impacts on the receiving environment are reasonably anticipated such that would reasonably justify a refusal of permission.

8.8. Other Matters

- 8.8.1. In respect of other matters, appeal grounds include concerns regarding the management of the overall scheme should the proposal be permitted, access to and use of shared facilities, infrastructural wear and tear, increased costings and charges. I also identify as relevant for this subsection architectural heritage, environmental assessments, and other planning conditions not previously discussed.
- 8.8.2. While I acknowledge the appeal grounds relating to the future management of the overall complex, these concerns are private matters requiring negotiation, as relevant, between the parties and are outside of the scope of this planning appeal process.
- 8.8.3. The appeal site is located adjacent to several protected structures (including the Bank of Ireland building to the west), however the site and subject buildings (dating from the 1990s) are not of architectural heritage value. In the interests of clarity for the Commission, I concur with the position of the planning authority's Conservation Officer which states the proposed change of use would not result in any injurious impact on the setting of adjacent protected structures. As outlined in subsection 8.4 above, I note the proposed signage at the western corner of Block A (closest to the Bank of Ireland building, onto George's Street Upper), consider this to be sufficient for the proposed development, and recommend that any additional signage be restricted by condition. This will prevent any adverse impact or visual encroachment on the setting of the protected structure.
- 8.8.4. Of the applicable environmental assessments, I note that the site is a brownfield infill location with no evidence of biodiversity or other environmental sensitivities. Dun Laoghaire Harbour (closest coastal waterbody) is located c.338m to the north of the site and Brewery Stream (closest surface watercourse) is located c.1.17km to the west of the site. The proposal is for a change of use of existing, serviced buildings connected to public wastewater and surface water drainage systems. There are no direct hydrological and/ or ecological connections between the site, any coastal, surface or groundwater body, and/ or any protected nature designation (including the European sites identified in

in Dublin Bay). No issues arise in respect of EIA, AA, or WSIA and requirements for same have been reasonably screened out.

8.8.5. Of conditions not previously discussed, I highlight Condition 11 relating to recycling facilities and waste segregation. I recommend that the applicant prepare an Operational Waste Management Plan (OWMP) for agreement with the planning authority. This condition addresses the provision of facilities (including recycling) for the storage, separation and collection of waste and for the ongoing operation of these facilities. The preparation of an OWMP will also provide clarity for third parties on the provision of same within the overall scheme.

9.0 Appropriate Assessment

9.1 Screening Determination for Appropriate Assessment

9.1.1. In accordance with section 177U(4) of the Planning and Development Act 2000, as amended (2000 Act), and on the basis of objective information, I conclude that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) under section 177V of the 2000 Act is not required.

9.1.2. This conclusion is based on:

- Nature, scale and location of the proposed development.
- Objective information presented in the case file and from verified sources (e.g., EPA, NPWS, planning authority).
- Qualifying interests and conservation objectives of the European sites.
- Absence of any meaningful pathways to any European site.
- Distances from European sites.
- Standard pollution controls and project design features that would be employed regardless of proximity to a European site and the effectiveness of same.

9.1.3. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

10.0 Water Status Impact Assessment

10.1. Screening Determination for Water Impact Status Assessment

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

10.1.2. I conclude that the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively, or on a temporary or permanent basis, or otherwise jeopardise any waterbody in reaching its WFD objectives and consequently can be excluded from further assessment (see Appendix 4 of this report below).

10.1.3. This conclusion is based on:

- Nature, scale and location of the proposed development.
- Objective information presented in the case file and from verified sources (e.g., EPA, planning authority).
- Nature and proximity to coastal and surface waterbodies.
- Lack of any meaningful hydrological connection to any waterbody.
- Use of best practice construction practices during construction phase.

11.0 Recommendation

Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

12.0 Reasons and Considerations

The Commission considers that, subject to conditions, the proposed development would be consistent with the applicable Major Town Centre 'MTC' zoning objective and other policies and objectives of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, would be an appropriate use class at this location, would not seriously injure the

residential or visual amenities of property in the vicinity of the site, would not adversely affect the architectural heritage in the vicinity of the site, and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, as amended by the further information plans and particulars received by the planning authority on the 22nd day of December 2025, and by the plans and particulars received by An Coimisiún Pleanála on the 12th day of March 2026, 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 development shall be implemented as follows:
 - (a) The hotel shall be operated and managed in accordance with the details submitted with the planning application and appeal. An on-site management team (inclusive of reception and patrol staff) shall operate on a 24-hour, full-time basis.
 - (b) Bedrooms within the hotel shall not be partitioned and/ or amalgamated unless authorised by a further grant of planning permission.
 - (c) A maximum number of 12 car parking spaces at lower ground floor/ basement level shall serve the development. These spaces shall not be impeded, used for storage, sublet, or in any other manner separated from the hotel use.
 - (d) All deliveries, collections, servicing, loading or unloading associated with the development shall be accommodated either wholly within the site boundary or within nearby designated public loading bays. These activities shall not take place

in a manner that obstructs or interferes with the free flow of traffic, cyclists or pedestrians on the adjoining public roads.

Reason: In the interests of clarity, sustainable transportation, traffic safety, and protecting the amenities of the area.

3. Prior to the commencement of development, the developer shall submit to the planning authority for its written agreement, proposals, measures, and/ or revised plan(s) as relevant, to ensure the following:

- (a) Cycle parking provision according with the planning authority's 'Standards for Cycle Parking and associated Cycling Facilities for New Developments - January 2018', including indication of suitability of access to the basement level and the location of visitor cycle parking at surface level.

- (b) All servicing activities for/ of the development (inclusive of deliveries, collections, loading and/ or unloading by persons and/ or vehicles) accommodated either wholly within the site boundary or within nearby designated public loading bays.

- (c) All works to ensure (a) and (b) above shall be undertaken at the developer's expense and completed to the satisfaction of the planning authority.

Reason: In the interest of clarity and traffic safety.

4. Windows in the following hotel rooms shall be permanently fitted with obscure glazing (the use of temporary film and/ or stickers is not permitted):

- (a) three windows in Room C2.04, northern elevation of Block C, second floor level.

- (b) one window (northwest facing bay window) in Room D2.03, northern elevation of Block D, second floor level.

- (c) two windows in Room C3.04, northern elevation of Block C, third floor level.

Reason: In the interest of protecting the amenities of occupiers of the hotel accommodation and of residential property in the vicinity.

5. (a) No signage or displays are permitted on the exterior elevations (including external staircases) and/ or within doors and windows of Blocks A, B, C, and/ or D at the subject site.

(b) No signage, advertising structures, advertisements, security shutters or other projecting elements, including flagpoles (including that which is exempted development under the Planning and Development Regulations, 2001 as amended), other than that applied for and hereby permitted shall be erected or displayed at the subject site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity, traffic safety, and protecting architectural heritage in the vicinity.

6. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to the planning authority for its written agreement. This plan shall provide details of the construction practice for the development including, inter alia:

(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) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

(j) 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.

(k) Off-site disposal of construction/ demolition waste and details of how it is proposed to manage excavated soil.

(l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

(m) A record of daily checks that the works are being undertaken in accordance with the CEMP shall be kept for inspection by the planning authority.

The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of residential amenity, public health and safety.

7. The applicant and the development's contractor shall develop and implement a Public Liaison Plan for the duration of the construction works covering the following:
 - (a) Appointment of a Liaison Officer as a single point of contact to engage with the local community and respond to concerns.
 - (b) Keeping local residents informed of progress and timing of particular construction activities that may impact on them.
 - (c) Provision of a notice at the site entrance identifying the proposed means for making a complaint.
 - (d) Maintenance of a complaints log recording all complaints received and follow up actions.

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

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

Reason: To safeguard the amenities of property in the vicinity.

9. a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development, the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation of these facilities, shall be submitted to the planning authority for its written agreement, not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed OWMP.
- b) The OWMP shall provide for screened communal bin stores, the locations and designs of which shall be as indicated in the plans and particulars lodged within the application unless otherwise agreed in writing with the planning authority. Bin stores shall not be stored on the public footpath.

Reason: In the interest of the amenities of occupiers of the units, and to ensure the provision of adequate refuse storage for the proposed development.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report, in an improper or inappropriate way.

Phillippa Joyce

Senior Planning Inspector

21st May 2026

Appendix 1: Environmental Impact Assessment – Pre-Screening

1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?	
(“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.	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3.	
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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/ exceeds the threshold.	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Proceed to Q4.	Class 10(b)(iv) Relevant thresholds arising from Class 10(b): - Class 10(b)(iv): urban development in an area greater than 2ha in the case of a business district
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)?	
<input checked="" type="checkbox"/> No	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Environmental Impact Assessment – Preliminary Examination

<p>The Commission carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector’s Report attached herewith.</p>	
<p>Characteristics of proposed development</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>Project comprises a change of use of existing buildings from office use to hotel use, and associated site works. Project differs, but does not differ significantly, in terms of character or of scale from the surrounding area (major town centre location with a wide variety and mix of uses including residential, commercial, healthcare, educational).</p> <p>Project would cause physical changes to the appearance of the site during the construction and operation (occupation) phases. However, the former would be temporary in nature and not significant, and the latter are associated with signage and new window and door openings. These are well within acceptable parameters for this major town centre zoned site and the receiving area.</p> <p>No significant use of natural resources is anticipated. The project would continue to connect into the public water supply and drainage systems.</p> <p>Construction phase activities would result in the use of potentially harmful materials, and cause noise and dust emissions. These would likely be typical of similar construction sites. Conventional waste produced from construction and operational activities would be managed.</p> <p>Project would not cause significant risks to human health through water contamination/ air pollution due to the design of the scheme, connection to public water services systems, and scale of commercial activities arising.</p>
<p>Location of development</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</p>	<p>Project is not located in, on, or adjoining any European site, any designated or proposed Natural Heritage Area, or any other listed area of ecological interest or protection. The site is infill and brownfield in nature, contains several modern buildings, and there is no evidence of the presence of any protected habitats, plants, or fauna species.</p> <p>Dun Laoghaire Harbour (closest coastal waterbody) is located c.338m to the north of the site and Brewery Stream (closest</p>

<p>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>surface watercourse) is located c.1.17km to the west of the site. The proposal is for a change of use of existing, serviced buildings connected to public wastewater and surface water drainage systems. There are no direct hydrological and/ or ecological connections between the site, any coastal, surface or groundwater body, and/ or any protected nature designation.</p> <p>There are no protected or scenic landscape designations applicable to the site. There are no sites of archaeological heritage at the site. There are no protected structures at the site, and the site is not located within an architectural conservation area. There are protected structures adjacent to the site but the project (change of use of existing buildings, minor proposed works including signage and new windows and door openings) will have no impact on the setting and/ or character of same.</p>	
<p>Types and characteristics of potential impacts</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>Amelioration of environmental impacts have been incorporated into the project's design.</p> <p>Mitigation measures would include those required by conditions attached in the event of a grant of permission in relation to construction and operation phases.</p> <p>There are no likely significant effects identified or anticipated in terms of cumulative and/ or transboundary effects.</p>	
<p>Conclusion</p>		
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>	<p>Yes or No</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>	<p>Yes</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>No</p>
<p>There is a real likelihood of significant effects on the environment.</p>	<p>EIAR required.</p>	<p>No</p>

Inspector: _____ Date: _____