



An
Coimisiún
Pleanála

Inspector's Report

PL-501494-DS-26

Development

PROTECTED STRUCTURES: the change of use of part of the ground floor from gallery to hotel and café use, and the change of use of the lower ground, first, second and third floors from gallery, office, yoga studios and residential to hotel use.

Location

A 0.0376 Ha. site at Nos. 24 and 25, Frederick Street South, Dublin 2

Planning Authority

Dublin City Council South

Planning Authority Reg. Ref.

WEB1622/26

Applicant(s)

24 South Frederick St Propco Limited

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

24 South Frederick St Propco Limited

Observer(s)

Janyce Condon

Date of Site Inspection

5th of August 2026

Inspector

Carol Hurley

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1.0 Site Location and Description

- 1.1. The subject site consists of two no. properties, No. 24 and No. 25 Frederick Street South, Dublin. The properties are located between the junction of Nassau Street and Setanta Place.
- 1.2. The properties address the road with a northwest facing orientation and has a stated site area of c. 0.038 hectares.
- 1.3. The properties are mid terrace with each being two bay four storeys over basement.
- 1.4. Property No. 24 is finished in a brown brick with red window frames. A bay window has been included at ground floor level addressing the street.
- 1.5. The basement of each of the properties is enclosed with wrought iron railings.
- 1.6. No. 25, contains a warehouse structure to the rear of the property. Access was not possible to the warehouse at time of site visit.
- 1.7. The rear elevation of the properties addresses a hard landscaped plaza associated with an office block. A high boundary wall divides the two properties. At time of site visit I noted that there is an existing rear boundary wall to the site however the western boundary wall to the Setanta Centre appears to be an additional wall and exceeds the height of the rear boundary wall of the subject site. The western boundary wall of the Setanta Centre previously contained the Tain Mural. At time of site visit, this mural has been removed, likely as part of the permission granted on the lands.
- 1.8. The Setanta Q Park car park is located to the rear (east) of the subject properties.
- 1.9. At time of site visit, the properties appeared to be in use for a variety of purposes. I do note that the basement level of No. 24 was in use for book storage rather than as a gallery use and the upper floors noted to be use as yoga studios appeared to be in use a treatment rooms. Similarly, the second floor of No. 25 appeared to be use for treatment rooms also. Access to the third floor of unit No. 25 was not possible.
- 1.10. Frederick Street South consists of a variety of uses such as restaurants, estate agents, gallery, hotel use and offices.

1.11. The street is one-way in the direction of Nassau Street. There are double yellow lines along the western side of the road with designated loading bays, outside dining area and on-street car parking located to the front of the subject properties in addition to a bicycle parking stand.

2.0 Proposed Development

2.1. The applicant sought permission for;

- The change of use of part of the ground floor from gallery to hotel and café use.
- The change of use of the lower ground, first, second and third floors from gallery, office, yoga studios and residential use to hotel use.
- The hotel development which comprises 19 no. en-suite bedrooms and ancillary areas, will be operationally linked to the Trinity Townhouse Hotel located at No.'s 12, 29 and 30 Frederick Street, Dublin 2.
- The development will increase the gross floor area of No.'s 24 and 25 Frederick Street South by 16sqm (from c.925sqm to c. 941sqm) and will include;
 - Internal room modifications
 - The provision of a link between No. 24 and 25 at ground floor level
 - The replacement of the non-original PVC windows to the rear of the existing properties with timber sliding sash windows;
 - Signage
 - Bin storage
 - Plant
 - And all associated site works above and below ground.
- The development will comprise a multi-use building including hotel (870sqm), café (49sqm) and art gallery (22sqm).

The following documentation was received with the application on the 18th of March 2026 along with standard drawings;

- Planning Report prepared by Thornton O'Connor Town Planning.

- Architectural Heritage Impact Assessment prepared by Dr. Jason Bolton.
- Operational Waste Management Plan prepared by Byrne Environmental.
- Structural Engineering Service Report – Planning Stage prepared by BDP.
- Engineering Service Report – Planning Stage prepared by BDP.
- Appropriate Assessment Screening Report prepared by Doyle Morris Group.

3.0 Planning Authority Decision

3.1. Decision

On the 8th of May 2026 Dublin City Council issued a notification of a decision to refuse planning permission for the following reasons;

1. The proposed change of use of the Z5 zoned mixed-use street into a homogenous row of operationally linked hotels and the significant reduction of gallery use will alter and erode the character that makes the neighbourhood distinct, diminish its cultural diversity, and leave long lasting effects on its civic identity, and result in the loss of upper floor residential uses. The proposed development would therefore be contrary to Policy SC3, would seriously injure the urban character and amenities of the historic city core, would create a precedent for similar type undesirable development, would devalue property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
2. Taking into account the subject site comprising of protected structures and having regard to the urban form and uses of the surrounding historic context, it is considered that the proposed hotel use would result in existing and potential residential uses being lost to the residential housing stock. As such the proposal is contrary to Policy SC3, Policy QHSN6, QHSN7, QHSN38 and Section 5.1 of the Dublin City Development Plan 2022-2028 which seeks to promote a mixed use landuse policy in the city centre including the provision of high quality, sustainable residential development. The proposed development would, therefore, be contrary to the 2022-2028 Dublin City Development Plan, would

set an undesirable precedent for similar development and would be contrary to the proper planning and sustainable development of the area.

3. The configuration of the proposed hotel use would result in a substandard guest experience by way of lack of facilities and amenities serving the hotel such as a reception and food related uses, and excessive overlooking into the ground floor hotel rooms which has windows fronting onto the circulation area resulting in privacy and safety concerns. The proposed development would therefore be contrary to Section 15.14.1.1 of the Dublin City Development Plan 2022-2028, would set an undesirable precedent for similar type development and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Planning Officer dated 7th of May 2026 set out the site notice inspection, description of the site and surroundings, details of the proposed development, the relevant zoning objective, details of the pre-planning meeting, the relevant planning history, Enforcement history, internal and external consultations, summary of the 3rd party submissions received and summary of the relevant policy.
- Hotel, café and gallery were all uses considered to be permissible within the Z5 Zoning Objective within the Dublin City Development Plan 2022-2028.
- In order to overcome the previous reasons for refusal, the introduction of a gallery and café use at ground floor level was noted.
- It was accepted that the site is located within the city centre which would require the facilitation of hotel uses to accommodate tourism however had concerns regarding the hotel presence (existing and proposed) on the short stretch from Nassau Street to the junction of Setanta Place and the use of five buildings in such a sensitive streetscape which has a specific context of being of architectural heritage interest and has a range of uses which contribute to the vibrancy of the street.

- The report did not accept the ground floor uses proposed and recommended that permission be refused by way of homogenisation of uses leading to an overconcentration of hotel uses in protected structures.
- Serious concerns were noted in relation to the loss of the two-bed residential unit at third floor level and that insufficient justification has been provided in this regard.
- Concerns were raised in relation to guest amenity in terms of privacy and services offered. The development was not considered to accord with Section 15.14.11 and permission was recommended to be refused.
- The assessment disagreed with the applicants understanding of Policy SC3 and submit that the policy focuses on mixed use schemes with a residential element. (emphasis of the Planning Authority).
- Issues raised by the Conservation Officer were recommended to be addressed through further information.

The Planning Authority concluded with a recommendation to refuse permission which is in line with the decision that issued on the 11th of May 2026.

3.2.2. Other Technical Reports

Engineering Department – Drainage Section – The report dated 9th April 2026 notes;

- No objection subject to conditions.

Transportation & Public Realm Development – Transportation Planning Section –

The report dated 24th of April 2026 notes;

- No cycle parking has been proposed. There is existing on-street bicycle parking located outside of No. 26 Frederick Street South and Dublin Bikes Scheme is located outside Setanta Place on Frederick Street South. The provision of no bicycle parking is acceptable in this instance.
- The proposals of the Operational Waste Management Plan are considered acceptable in this instance.
- The subject site is located within Parking Area 1 of Map J of the Dublin City Development Plan 2022-2028. The non provision of car parking is acceptable in this regard.

- Condition recommended in the event of a grant of planning permission.

Environmental Health – The report dated 13th of April 2026 notes;

- No objection subject to conditions.

Conservation – The report dated 29th of April 2026 notes;

- Raises concern regarding the loss of a residential unit on the third floor of No. 25 Frederick Street. The report notes the use of historic townhouses as full-time residential accommodation contributes to the character of the Z2 planning zone by reinforcing the precedent for city centre living.
- From a conservation perspective, it would be preferable to retain the residential unit within No. 25 as this would have a wider positive impact in the area.
- Alternatively, consideration may be given to the provision of residential accommodation at basement level in lieu of the upper-level apartment. A request for additional information was recommended in this regard.
- Concerns previously raised in respect of the cumulative impact of hotel development remain valid. The cumulative impact of a series of planning applications along this street to accommodate hotel use is detrimental to the significance and special character of the street.
- The proposed en-suites within the front rooms are placed against the historic doorways from the landings. The removal of traditional access from the landings to the front rooms of No. 24 and 25 would be regrettable and would impact upon the understanding of the historic planform. A request for additional information was recommended in this regard.
- The proposed lobby would be mounted perpendicularly on the face of the corner chimney stack, significantly impacting the legibility of this important historic feature and diminishing the spatial quality of the room. A request for additional information was recommended in this regard.
- Provision of a photographic door survey. All historic doors and architraves to be retained in situ and only modern doors and architraves that require a fire rating maybe replaced, subject to review of proposed drawings.

- Where a doorway is to be blocked up, the existing door and architrave shall be retained in situ and presented on the public facing wall side.
- Conditions in this regard are recommended in the event of a grant of permission.
- The proposed drawings detail that the rear extensions at No. 24 would be significantly altered to provide bedroom accommodation.
- The provision of a new pitched roof to the two-storey section would be a loss of historic fabric.
- The enlargement of the ground floor area would reduce the side of the rear garden, permanently diminishing the special character of the Protected Structure and its setting.
- The design proposal would seriously contravene Policy BHA2. It would be preferable to omit the structural interventions to the historic rear extensions to mitigate the impact on the special architectural character of the Protected Structure and its setting.
- In terms of the works to the existing flat roofs of No. 25, the proposed flat roof with a parapet of 1050mm would result in a seriously negative visual impact to the Protected Structure and its setting, including the hipped roof warehouse building to the rear. The placement of plant is intended but has not been depicted. A request for additional information is sought in this regard.
- The placement of the water tanks and air handling unit exceed the height of the rear boundary wall and cumulatively would be visually impactful to the Protected Structure and its setting.

Archaeology – The report dated the 23rd of April 2026 notes;

- The site is located within the Zone of Archaeological Constraint for the Recorded Monuments DU018-020 (Historic City) which is listed on the Record of Monuments and Places (RMP).
- Section 11.5.5 and Policy BHA26 of the Dublin City Development Plan 2022-2028 refer to the protection and preservation of monuments.

- Number 24 and 25 Frederick Street are of archaeological interest as surviving standing buildings of the 18th century.
- The buildings are late examples of 'Dutch Billy' type houses. Many were later modified to resemble flat gabled Georgian houses, as is the case with the subject structures.
- The subject properties are among the best-preserved examples in the city, possessing original features such as cruciform roofs, corner fireplaces and rear returns.
- No archaeological assessment has been submitted with this application.
- Due to the age of the buildings, the inclusion on the SMR and the potential for archaeological material to be encountered, it is recommended that conditions be included in the event of a grant of permission.

3.3. Prescribed Bodies

The Planning Authority referred the subject application to the following prescribed bodies;

- Transport Infrastructure Ireland (TII)
- Department of Housing, Local Government and Heritage
- Uisce Eireann
- Irish Rail
- National Parks and Wildlife Service

The Planning Authority received a response from TII which can be summarised as follows;

- The proposed development falls within the area set out in a Section 49 Levy for Light Rail.
- The scheme sets out exemptions.
- If the development is granted and is not considered to be exempt, it is recommended that a Section 49 Contribution Scheme Levy be applied by condition.

There is no evidence of a response received from the other prescribed bodies set out.

3.4. Third Party Observations

A third-party submission received by the Planning Authority can be summarised as follows;

- The third-party is a long-term resident at the property (c. 5.5years)
- Seeks to clarify that the building is in use as active residential use.
- Refers to a previous reference to the property as paying paid commercial rates in respect of the top floor flat.
- Following a request under Freedom of Information, the third party received confirmation that no commercial rates had been paid in respect of the flat.
- Requests that the Planning Authority ensures reliance on accurate and verified information particularly in relation to a residential property within a Rent Pressure Zone.

4.0 Planning History

The subject site

PA.Ref 0908/92 – Permission was granted at No. 24 Frederick Street for the change of use of the basement floor from residential to office use and the change of use of the second and third floors from part office and part residential use to office use. No other details are available in relation to this planning reference number.

ABP-311780-21 (PA. Ref. 3484/20) Permission was refused for the change of use from art gallery, retail, yoga studios and offices to hotel use, the demolition of the non-original rear annexes from lower ground level to 2nd floor level and the construction of a ground floor level rear extension over an extension at lower ground / basement level. The hotel proposed twenty-five (25) bedrooms and ancillary lounge areas were proposed to be functionally related to the Trinity Townhouse Hotel which is located at No.'s 12, 29 and 30 Frederick Street South, Dublin 2. Replacement of non-original

windows to the rear of the property was proposed in addition to an interconnecting link between No. 24 and 25 at ground floor level in addition to a link bridge suspended over an internal courtyard connecting to the proposed extension.

Permission was refused for one reason only which related to the proposed rear extension which was considered to constitute a visually obtrusive form of development by reason of its design, proportions, height, form and scale. The development was considered to represent an overdevelopment of the subject site which was considered to adversely affect the character and setting of the protected structures. The development as a result was considered to be contrary to Policy BHA 2(d) of the Dublin City Development Plan 2022-2028.

ABP-318532-23 (PA. Ref. 4441/23) Permission refused for the change of use from art gallery, retail, yoga studios and office to hotel use which will be operationally linked to the Trinity Townhouse Hotel located at No.'s 12, 29 and 30 Frederick Street South, Dublin 2. The hotel was proposed to comprise twenty-five (25) bedrooms and an ancillary lounge area and was intended to function as an extension to the existing Trinity Townhouse Hotel.

The proposal also included demolition of non-original rear annexes from lower ground to 2nd floor level and the construction of an extension to the rear at the ground floor over an extension at lower ground floor/basement level. The development would increase the gross floor area from 800sqm to 881sqm. Works also included for the replacement of non-original PVC windows to the rear and the provision of an interconnecting link between No. 24 and No. 25.

Permission was refused for two reasons. The first reason set out that the proposed development did not relate sensitively to the architectural detail and character of the Protected Structures, and their curtilage would contravene Policies BHA2(a), (b), (d), (e), (f), BHA6, BHA9 and BHA11 of the Dublin City Development Plan 2022-2028.

The second reason for refusal set out that the change to this section of the street by the provision of additional hotel accommodation would alter and erode the character of the neighbourhood by diminishing its diversity and would leave long lasting effects

on its identity and would not be in accordance with the Z5 Zoning Objective as it relates to central area development. The development was considered to be contrary to Policy SC3 and would seriously injure the urban character and amenities of the historic city core.

Units 14-16 Frederick Street South (opposing side to the subject site of this appeal)

PA. Ref. 2961/15 – Permission and retention permission granted to Eileen Dunne and Stefano Crescenzi on the 9th of September 2015 for the amalgamation of 3 no. ground floor restaurants at 14, 15 and 16 South Frederick Street in addition to the removal of Condition No.2 of PA Ref. 1903/00 to facilitate the continued use of No. 14 as a restaurant.

The report of the Planning Authority noted that the amalgamation of the units would lead to an intensification of a restaurant use however given that it was already established and contributing to the vitality and viability of this inner-city street, there was no objection to the principle of the overall proposal.

The lands were zoned Z5 under the 2011-2017 Development Plan.

Setanta Centre, Adjoining lands to the east

PL29S.303526 (PA Ref. 2407/18) – Permission granted to Ternary Limited on the 28th of May 2019 for a significant redevelopment of the Setanta Centre on the adjoining lands to the east of the site. Part of this development involves the removal and relocation of the Tain Wall Mural which was located on the eastern face of the western boundary wall of the Setanta Site. The wall is located to the rear of the subject sites. Dublin City Council subsequently granted an extension of duration for a period of 5 years.

No. 19-24 St. Andrews Street (c.378m as the crow flies to the northwest of the subject site)

ABP-319111- 24 (PA Ref. 4845/23) Permission granted to Appalachian Holdings on the 10th of February 2025 for the change of use from office to hotel and the construction of an extension. The works would facilitate the provision of 111 bedrooms. The existing post office at ground floor would be retained by the development.

The assessment acknowledged the housing crisis but noted that the proposed development sought was not one that related to the provision of a residential landuse,

nor was residential land-use the original use of the period building. The assessment noted that there were no specific planning policy provisions that would target this building for reversal of an underutilised state in part or solely for residential use. Hotel use is a land use that is deemed to be permissible on land zoned city centre. It was contended that the Planning Authority in this instance failed to demonstrate how it could reasonably substantiate a refusal of permission for the development sought based on an increased rental demand for residential development within the city centre that this proposal would in itself or in combination with existing or permitted land uses in the vicinity would give rise to a lack of variety and mixture of land uses.

Permission was refused on the basis of the impact to the protected structure and that the overall alterations and additions sought to the protected structure would not be sympathetic to the building or built heritage as well as visually sensitive to change setting.

The lands were zoned Z5 under the 2022-2028 Dublin City Development Plan.

No. 18-19 Merchants Quay (c. 1.2km as the crow flies to the northwest of the subject site).

ABP-317636-23 (PA Ref. 3705/23) granted permission to Claus Peter Pfeffer on the 19th of March 2024 for the change of use of the ground floor and residential accommodation units on the 1st, 2nd and 3rd floors to hostel (tourist) use with modifications to the existing rear flat roof, amenity space at roof level and associated works and all associated site works and services.

The assessment acknowledged the loss of the residential units but noted the relatively small scale of the existing premises and the loss of three units would not impact in a meaningful way on the supply of accommodation within the city.

These lands were zoned Z5 under the 2022-2028 Dublin City Development Plan.

5.0 Policy Context

5.1 Development Plan

Dublin City Development Plan 2022-2028

The Dublin City Development Plan 2022-2028 is the operative plan for the area. It came into effect on the 14th of December 2022.

As per Map Set E, the subject site is zoned Z5 'City Centre', the objective of which seeks to *'To consolidate and facilitate the development of the central area and to identify, reinforce, strengthen and protect its civic design character and dignity'*

Relevant permissible uses include;

Bed and breakfast, café/tearoom, creative, artistic, guesthouse, hostel (tourist), hotel,

I note that the subject site is located outside of the designated 'Living City Special Regeneration Area'

Section 14.7.5

This section describes the purpose of this zoning objective as one being to sustain life within the centre of the city through intensive mixed-use development. It is aimed to provide a dynamic mix of uses which interact with each other in order to create a sense of community. These uses would also seek to sustain the vitality of the inner city by day and night.

Ideally, it is encouraged that a mix of uses occur vertically through the building in addition to horizontally along the street frontage.

For purposes of promoting a mixed-use city, an overconcentration of offices and hotels in Z5 zoned lands maybe not be appropriate. Where significant city centre sites are being redeveloped, an element of residential and other uses as appropriate should be provided to complement the predominant office use. (my emphasis).

Frederick Street South is not designated as being a Category 1 or Category 2 as per Figure 7.2 of the Development Plan in terms of the retail core and principal shopping streets.

Protected Structure

No. 24 Frederick Street South

- RPS. No.2989, described as being 'house and offices'

No. 25 Frederick Street South

- RPS. No. 2990, described as being 'house and offices'

Architectural Conservation Area

South Frederick Street is located outside of the Architectural Conservation Area for South City Retail Quarter.

Conservation Area

South Frederick Street is designated as Conservation Area.

Archaeological

The site is located within an Archaeological Buffer Zone.

National Inventory

No. 24 Frederick Street South

- DU018487 – Regional Rating, Category of Special Interest – Architectural and Artistic.

No. 25 Frederick Street South

- DU018488 – Regional Rating, Category of Special Interest - Architectural and Artistic.

Policy SC3

Mixed Use Development

To promote a mixed-use land use policy in the city centre, including the provision of high quality, sustainable residential development, and facilitating the conversion of both old office buildings and over shop spaces to residential.

Policy QHSN6

Urban Consolidation

To promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, backland development, mews development, re-use/adaption of existing housing stock and use of upper floors, subject to the provision of good quality accommodation.

Policy QHSN7

Upper Floors

To resist and where the opportunity arises, to reverse the loss of residential use on upper floors and actively support proposals that retain or bring upper floors into

residential use in order to revitalise the social and physical fabric of the city through measures such as the Living City Initiative. Dublin City Council will actively engage with property owners and other stakeholders at a national level to investigate other alternative measures in addition to the Living City Initiative to expedite bringing upper floors into residential use, and will be actioned by the City Recovery Task Force and its successor.

Policy QHSN38

Housing and Apartment Mix

To encourage and foster the creation of attractive, mixed use, sustainable residential communities which contain a wide variety of housing and apartment types, sizes and tenures, in accordance with the Housing Strategy and HNDA, with supporting community facilities and residential amenities. Further detail in regard to unit mix is set out in Chapter 15: Development Standards. Unit mix requirements for the Liberties and the North Inner City are set out in Section 15.9.1 and Table 37 of the Housing Strategy in Appendix 1.

BHA2

Development of Protected Structures

That development will conserve and enhance protected structures and their curtilage and will:

- (a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.
- (b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- (c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.
- (d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.

(c) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.

(d) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.

(e) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.

(f) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.

(g) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.

(h) Have regard to ecological considerations for example, protection of species such as bats.

BHA4

Ministerial Recommendations

To have regard to the National Inventory of Architectural Heritage (NIAH) rating of a structure and any associated Ministerial Recommendation in the assessment of planning applications.

BHA6

Buildings on Historic Maps

That there will be a presumption against the demolition or substantial loss of any building or other structure which appears on historic maps up to and including the Ordnance Survey of Dublin City, 1847. A conservation report shall be submitted with the application and there will be a presumption against the demolition or substantial loss of the building or structure, unless demonstrated in the submitted conservation report that it has little or no special interest or merit having regard to the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities (2011).

BHA9

Conservation Areas

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. 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 may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.
2. Re-instatement of missing architectural detail or important features.
3. Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns.
4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.
5. The repair and retention of shop and pub fronts of architectural interest.
6. Retention of buildings and features that contribute to the overall character and integrity of the Conservation Area.
7. The return of buildings to residential use.

Changes of use will be acceptable where in compliance with the zoning objectives and where they make a positive contribution to the character, function and appearance of the Conservation Area and its setting. The Council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications, and will promote compatible uses which ensure future long-term viability.

BHA11

Rehabilitation and Reuse of Existing Older Buildings

(a) To retain, where appropriate, and encourage the rehabilitation and suitable adaptive reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape, in preference to their demolition and redevelopment.

(b) Encourage the retention and/or reinstatement of original fabric of our historic building stock such as windows, doors, roof coverings, shopfronts (including signage and associated features), pub fronts and other significant features.

(c) Ensure that appropriate materials are used to carry out any repairs to the historic fabric.

Section 5.1 of Chapter 5, Quality Housing and Sustainable Neighbourhoods

This policy relates to creation of sustainable neighbourhoods. The provision of affordable, accessible, quality homes and sustainable community infrastructure which meets the needs of the city's population and which contribute to the making of good, connected neighbourhoods is a key priority of the development plan.

15.14.1 Hotels and Apartments

To ensure a balance is achieved between the requirement to provide for adequate levels of visitor accommodation and other uses in the city such as residential, social, cultural and economic uses, there will be a general presumption against an overconcentration of hotels and aparthotels.

The policy requires that in all instances, where the Planning Authority deem there to be an overconcentration of such facilities, the applicant would be requested to submit a report indicating all existing and proposed hotel and apartohotel within a 1km catchment in addition to demonstrating that the proposed development fully complies with the criteria set out in Policy CCE28 and Section 15.14.1.1 and Section 15.14.1.2.

15.14.1.1 Hotel Development

Hotel developments are encouraged to provide for publicly accessible facilities such as café, restaurant and bar uses to generate activity at street level throughout the day and night. Hotels are also encouraged to provide a mix of publicly accessible uses vertically throughout the building such as roof terrace restaurant and bars to further generate activity.

Applications for roof top uses will be assessed having regard to the impact on neighbouring properties in terms of noise levels and overlooking. Hotel development should also be accompanied by operational management plans that demonstrate how the hotel will be serviced and traffic / drop off managed. All loading, waste collection and servicing must be provided off road in a designated loading area where feasible.

Pick up and drop off services can be accommodated on street subject to adequate space being provided. Hotel room size and layout should be designed and to ensure a high level of amenity is obtained to accommodate both short and long stay durations. Adequate provision should also be provided for the storage of laundry facilities and materials.

Policy CCE26

Tourism in Dublin

- (i) To promote and facilitate tourism as one of the key economic pillars of the city's economy and a major generator of employment and to support the appropriate, balanced provision of tourism facilities and visitor attractions.
- (ii) To promote and enhance Dublin as a world class tourist destination for leisure, culture, business and student visitors and to promote Dublin as a setting for conventions and cultural events.
- (iii) To improve the accessibility of tourism infrastructure to recognise the access needs of all visitors to our city.

Policy CCE 28

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.

5.3 National Guidance

Section 28 Ministerial Guidelines

Architectural Heritage Protection – Guidelines for Planning Authorities (2011)

These guidelines set out comprehensive guidance for development in conservation areas and proposals affecting protected structures.

Section 7.2.2 emphasises that additions and other interventions to protected structures should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term.

Section 7.3 recognises that the best method of conserving a historic building is to keep it in active use. Where a change of use is approved, every effort should be made to minimise change to, and loss of significant fabric and the special interest of the structure should not be compromised.

Section 7.7 promotes the principal of minimum intervention.

Section 7.12 sets out the need to ensure reversibility of alterations.

Section 11 recognises the importance of the interior of the protected structures and that the interior can be essential to the character and special interest of the building. This can range from plan form of the structure and features of interest such as wall partitions, chimney breasts or fireplaces.

5.4 Natural Heritage Designations

The subject site is not located within or immediately adjacent to any European Site or other Natural Heritage Site.

The site is located c.1.62km to the west of the Grand Canal (002104), pNHA, c. 3km to the northwest of South Dublin Bay (000210) and c. 3.3km to the southwest of North Dublin Bay (000206), pNHA.

The subject site is located c.3km to the northwest of the Special Area of Conservation for South Dublin Bay (000210), c. 5.3km to the southwest of the Special Area of Conservation for North Dublin Bay (000206) and c. 11.09km to the west of the Special Conservation Area for Rockabill to Dalkey (003000).

The subject site is located c. 3km to the west of and c.3.3km to the southwest of the Special Protected Area for South Dublin Bay and River Tolka Estuary (004024), c. 5.3km to the southwest of the Special Protected Area for North Bull Island (004006) and c. 7.2km to the west of the cSpecial Protected Area for North-West Irish Sea (004236).

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

The Commission received a first party appeal against the decision of the Planning Authority to refuse permission for the proposed development on the 5th of June 2026.

The appeal contains updated drawings which present internal modifications to address the concerns raised by DCC regarding bedroom amenity in Reason for Refusal No. 3.

The revised drawings also reposition plant to a flat roof area to the rear of the building.

In the event of a grant of permission, the appellant submits that they are happy to accept a condition that the permission be carried out in accordance with the plans submitted to An Coimisiún Pleanála on the 5th of June 2026.

The appeal can be summarised as follows;

First Reason for Refusal

Character of the Z5 Zoned Street

- There is a wide variety of uses present along Frederick Street South which includes, an estate agent, a solicitor's office, a gallery, a café, a restaurant (No.'s 14-17 Frederick Street South), 2 no. residential units (No. 10 and No. 11 Frederick Street South) and several ground floor retail units.
- The restaurant on the opposing side of South Frederick Street occupies four properties. Within PA Ref. 2961/15, the assessment noted that the continued use of the properties contributed to the vitality and viability of this inner-city street. It is contended that this is more akin to a homogeneous row of operationally linked properties.
- There is large office block in use by AIB at No. 10 Molesworth Street which has a substantial frontage onto Frederick Street South.
- The subject site is separated from No. 29 Frederick Street South by 3 no. properties which are in use as offices and art gallery.
- Dublin City Council have not demonstrated how the subject development would result in a row of operationally linked hotels, regard being had to the diversity of uses which provide a buffer.
- The proposed multi use proposal with active ground floor uses will ensure the achievement of a mix of uses within the subject plot.
- Just five properties on the street would be in use as a hotel. Based on the 25 properties along the street, hotel use would represent 20%.

- Contends that the office block occupied by AIB has a gross floor area in excess of 13000sqm whereas the subject scheme in addition to the other 3 properties would have a total gross floor area of c. 2100sqm.
- If the subject scheme were to 'diminish its cultural diversity' or 'leave long lasting effects on its civic identity as stated by the Planning Authority, a clear threshold / limit/ number that has been breached should be detailed to demonstrate how the subject scheme contravenes Policy SC3 of the Development Plan.
- It has not been made clear by the Planning Authority how the addition of 19 no. hotel bedrooms to an existing provision of 31 no. bedrooms would result in a homogeneous row of operationally linked hotels.
- The development proposes a reduction of 6 no. bedrooms in comparison to the previously refused hotel development.
- An Bord Pleanála (now An Coimisiún Pleanála) recently determined that hotel use at the subject properties will not lead to homogenisation of the street.
- The appeal contains a letter from Gormleys of No. 27 Frederick Street South which sets out that the gallery proposed under the subject application would be ideally suited for this purpose and would provide an opportunity to expand their existing exhibition space for visiting artists. The area proposed to be provided is more than adequate to display special exhibitions.

Misinterpretation of Policy SC3 by the Planning Authority

- The first party contends that the proposed inclusion of a café and gallery use at ground floor level fundamentally aligns with Policy SC3 which seeks to promote a '*mixed use land use policy in the city centre*'.
- The assessment of the Planning Authority contends that Policy SC3 specifically focuses on mixed-use schemes with a residential element (emphasis by the Planning Authority).
- The first party contends that the Planning Authority are inferring that the subject scheme would be contrary to Policy SC3 of the Development Plan as a result of the loss of the residential element at the third floor.

- The first party contends their understanding of the policy relates to the promotion of a mix of uses ‘including’ residential but is not intended to result in the refusal of permission for every mixed-use scheme in the city centre that does not include residential use.
- This would lead to significant stagnation of development in the city centre.
- Just because the development does not ‘convert old office buildings and over shop spaces to residential’ does not mean that it prevents or undermines the policy’s general attainment across the city.
- The subject scheme is mixed-use in nature and complies with the underpinnings of Policy SC3 of the Development Plan.
- ABP-311780-21 previously assessed the loss of the residential unit. While this permission was ultimately refused, the reasons for refusal related to the proposed rear extension.
- ABP-318532-23 considered the loss of the residential unit. Permission was ultimately refused, the reasons for refusal related to conservation issues.
- An Bord Pleanála (now An Coimisiún Pleanála) has previously accepted on two occasions that the loss of the existing or future residential units at the subject site would not be significant.

Second Reason for Refusal

Loss of Existing Residential Units

- The first party contends that there is no residential use permitted by the Planning Authority at the subject site.
- This was set out in the previous appeals, and it was determined that a residential unit at the subject site would not be significant to the provision of housing in Dublin City.
- Contends the inconsistent approach of the Planning Authority with consideration of Development Plan policies and objectives in respect of the removal of residential units on lands zoned Z5.
- Contends that a development plan should be considered in a holistic manner. Refers to case law in this regard, *Clonres v An Bord Pleanála [2021] IEHC 303*,

Eoin Kelly v An Bord Pleanala [2022] IEHC 194 and Ballyboden v An Bord Pleanala [2022] IEHC7.

- Submits that there are challenges in the provision of residential use at the subject site.
- It is contended that the Planning Authority are placing an unreasonable expectation upon the first party's landholding. In reference to the assessment of the Planning Authority which contended that it would be problematic to retain the residential use at third floor level for operational and safety issues with a functioning hotel. A residential unit within the basement was not considered to be acceptable for the purposes of amenity and therefore the Planning Authority concluded that given the range of issues arising, that hotel use is inappropriate for the subject site.
- This conclusion of the Planning Authority effectively sterilises the first party's landholding. Even if a use other than a hotel was to form a predominant use, the same operational and safety issues would arise.
- The Planning Authority's continued preference for the retention of residential use which is contended to be unauthorised and substandard should not be permitted to prevent a development which is fully in accordance with the principles of proper planning and sustainable development and would support economic tourism in the city centre and the legibility and understanding of fine Georgian properties.

Third Reason for Refusal

Substandard Guest Experience

- The first party submits that breakfast will be served in the historic warehouse building.
- This was set out in the planning statement accompanying the application however for the purposes of clarity, the appeal set of architectural drawings prepared by Studio Duffy now identifies the proposed lounge as a 'hotel breakfast lounge'.

- The intention of the first party is that cooked breakfast items will be brought to the subject site and warmed only in the kitchen located within the rear return of No.25.
- In relation to the lack of reception area, the first party contends that it is impracticable to expect a reception area to be provided at the subject properties whilst also requiring a diversity of uses at ground floor level.
- Guests staying in the Trinity Townhouse Hotel at No. 12 Frederick Street South check in at No.'s 29 and 30 Frederick Street South. This was accepted under PA Ref. 2701/11.
- A similar arrangement is proposed for guests staying at the subject property.
- The first party has clearly set out in the Statutory Notices that the proposed development would be operationally linked to the Trinity Townhouse Hotel.
- The first party proposes that should the Commission consider it necessary that they would be willing to accept a condition to subdivide the gallery space and provide a small hotel reception area.

Excessive Over-looking into Ground Floor Hotel Rooms

- As part of the appeal submission, the first party has included revised plans to address the concerns of the Planning Authority in relation to concerns regarding excessive over-looking into the ground floor bedrooms fronting onto the external circulation area, namely 5, 18 and 19.

Appendix A of the appeal submission contains a response prepared by Dr. Jason Bolton.

- The document notes that neither the report of the Conservation or Archaeology Sections recommended a refusal of permission.
- The submission contains a response to the concerns raised by the Conservation Officer.

Appendix B of the appeal submission

- Letter from Gormleys

7.2. Planning Authority Response

The Commission received a response from Dublin City Council on the 2nd of July 2026. The submission sets out the following;

- Request that the Commission uphold the decision of Dublin City Council to refuse planning permission.
- In the event of a grant of permission, the following conditions are recommended;
 - Payment of a Section 48 Development Contribution
 - Payment of a Section 49 Luas X City Development Contribution
 - Payment of a bond.

7.3. Observations

The Commission received an Observation from Janyce Condon, a resident in the vicinity of the subject site. The Observation can be summarised as follows;

- Observer has maintained a lawful and continuous residential tenancy since 11th of October 2020.
- Requests that any decision be made regarding the subject property be based on verifiable fact.
- Contends that a previous assessment stated that commercial rates had been paid on the Top Floor Flat.
- A copy of the Freedom of Information request response from Dublin City Council has been included which states that no rates were paid.
- Maintains and reasserts the architectural objections submitted in previous observations.
- The proposed development would fundamentally compromise the historical integrity, internal fabric and character of the buildings which are legally protected under the Planning and Development Act 2000, as amended.
- The proposed changes may cause injury to the urban character and amenities of an important part of the historic city.

7.4. Further Responses

None

8.0 Assessment

8.1. Introduction

Having examined the application details and all other documentation on file, including the 1st Party Appeal, Observation, Planning Authority response to the 1st party appeal, the reports of the Local Authority and having visited the site and having regard to the relevant policies and objectives, I consider that the substantive issues in this appeal to be considered are as follows;

- Principle of the Proposed Development and Nature of Use (First Reason for Refusal)
- Loss of Residential Unit (Second Reason for Refusal)
- Guest Amenity (Third Reason for Refusal)

For the purposes of clarity my assessment was based on the original plans submitted to the Planning Authority and I note where I have considered the revised plans which accompanied the appeal.

8.2. Principle of the Proposed Development and Nature of Use (First Reason for Refusal)

- 8.2.1. The main issue in the first reason for refusal is that the proposed change of use would transform the street into a homogeneous row of operationally linked hotels and together with the reduction in gallery use would alter and erode the character that makes the neighbourhood distinct, diminish the cultural diversity and would leave a long-lasting effect on the civic identity. The loss of the residential unit was also noted. The Planning Authority contended that as a result the proposed development would be contrary to Policy SC3 of the Development Plan and that it would injure the urban character and amenities of the historic city core, as well as devaluing property in the vicinity.

- 8.2.2. The subject site is zoned Z5, the objective of which seeks '*To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity*'.
- 8.2.3. Hotel, café and gallery use are permissible within the Z5 Zoning Objective however I note that the zoning objective seeks to protect against an overconcentration of hotel uses in a particular area. I am satisfied that the land uses are acceptable in principle, subject to not resulting in an overconcentration of hotel use.
- 8.2.4. Section 15.14.1 of the Development Plan, states that there will be a general presumption against an overconcentration of hotels and aparthotels. This section also submits that in advance of the outcome of an analysis of the supply and demand for tourism related accommodation in the Dublin City Area, which is indicated to be undertaken by Dublin City, hotels will be considered on a case-by-case basis, having regard to the location of the site and existing hotel provision in the area. The report of the Planning Authority does not reference that this study has been undertaken by Dublin City Council. I therefore consider that the Planning Authority has not demonstrated that there would be an over concentration of hotels at this location.
- 8.2.5. As part of the planning application, the applicant included a map demonstrating existing and proposed hotels and aparthotels within a 1km radius of the subject site.
- 8.2.6. I note that the policy in relation to an overconcentration of hotels within the Development Plan does not set out any quantitative threshold as to what constitutes an overconcentration of use.
- 8.2.7. In the absence of any quantifiable measures, having reviewed the study undertaken by the applicant, I am satisfied that this map clearly demonstrates that the proposed use would not contribute to an overconcentration of hotel uses within the vicinity of the subject site.
- 8.2.8. The first reason for refusal contends that the proposal would create a homogeneous row of operationally linked hotels.
- 8.2.9. I note that the report of the Planning Authority makes this assertion based on the section of Frederick Street South between the junction of Nassau Street and Setanta Place which is contended to have a sensitive streetscape with a specific context of being of architectural heritage interest which has a range of uses at present.

- 8.2.10. While I accept the other operationally linked hotels are located within this section of Frederick Street South, I disagree with the contention that a homogenous row of use would be created, No. 24 and No. 25 are adjoining one another but are distinctly separated physically from No. 12, 29 and 30 by other uses.
- 8.2.11. I note that the restaurant use on the opposite side of the road to the subject site has resulted in the amalgamation of several consecutive and adjoining units which could be viewed as a homogeneous row of units. I note that the assessment by Dublin City Council under PA Ref 2961/15 acknowledged the intensification of use but accepted that given the long-established use which contributed to the vitality and viability of the inner-city street, the Planning Authority had no objection.
- 8.2.12. I also refer to the significant office development located at the southern end of Frederick Street South and Molesworth Street. This development occupies the southern section of Frederick Street South with a somewhat homogeneous row of office use addressing the street.
- 8.2.13. To address the previous issues raised and as per policy Section 15.14.1.1 of the Development Plan, the development now proposes the use of each of the ground floor levels for access by the public to use as a gallery and use as a café. I contend that save for the provision of a sign at the door, the buildings as they present to Frederick Street South will not change in terms of accessibility and urban grain.
- 8.2.14. The Planning Authority welcome the inclusion of the gallery and café at ground floor level but submit that the level of amenity afforded to the gallery is poor. The Planning Authority contend that the space would not comprise of a substantial gallery offering as currently presented at basement and ground floor level and therefore presents as a tokenistic addition to the overall development. The Planning Authority contend that a gallery of this size is not a compatible use and would result in a poor experience. I note the appeal documents include a letter from the gallery operating at No. 27 Frederick Street South, namely Gormleys, which submits that the area of the space would be more than adequate to display special exhibitions. I acknowledge the suggestion of the first party to include a small reception area within the gallery area to improve guest amenity. I welcome the proposal however I would submit that such an inclusion would likely have an impact upon the gallery area. In my opinion I would consider that such subdivision of the space would likely lead to the gallery being an

ancillary space to the reception area which would be contrary to the proposal in the first instance to ensure integration and maintain the cultural identity of the street.

- 8.2.15. The development which was refused permission under ABP-318532-23 did not include for any gallery use at ground floor level.
- 8.2.16. The development now proposed by the applicant includes for a gallery use within the ground floor of No. 24 and a café within the ground floor of No. 25. I consider that these uses would ensure an active and engaging interface with the street. The uses at ground floor level would integrate appropriately within the established character of the area and would not diminish the diversity or have a negative impact upon the cultural identity of the area.
- 8.2.17. From my review of the documents and my site visit, a variety of uses would remain on Frederick Street South. I would submit that the proposed uses would complement the existing uses along the street and would contribute to the vitality of the street.
- 8.2.18. Policy SC3 of the Development Plan seeks to promote a mixed-use land use policy in the city centre, including the provision of high quality, sustainable residential development. I note that the first reason for refusal also refers to the loss of the residential unit on the second floor however the focus of the Planning Authority's second reason for refusal also relates to the loss of the residential unit, which I have set out my assessment for below.

I am satisfied that the proposed development comprises a mixed use which incorporates a distinct variety of uses at ground floor level that are separate from the hotel use. These uses at ground floor level would provide active engagement with the street and are reflective, complimentary and intrinsically linked to the cultural and civic identity of the street and therefore I am satisfied that an appropriate mix of uses are being provided. The proposal would not be contrary to achieving a mixed-use land use outcome in accordance with Policy SC3 of the Dublin City Development Plan 2022-2028.

- 8.2.19. I am therefore satisfied that the development would accord with the Z5 zoning objective. The proposal would not be contrary to Policy SC3 of the Dublin City Development Plan 2022-2028. Furthermore, I am satisfied that the proposed development would accord with the provisions of Section 15.14.1 of the Dublin City Development Plan.

- 8.2.20. The first reason for refusal also contends that the proposed development would devalue property in the vicinity. Having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.
- 8.2.21. I consider that the principle and use of the proposed development would be acceptable, and I recommend that the first reason for refusal be set aside.

8.3. Loss of Residential Unit (Second Reason for Refusal)

- 8.3.1. The second reason for refusal focuses on the loss of the existing and potential residential uses being lost to the residential housing stock. In this regard it is contended by the Planning Authority that the proposed development would be contrary to Policy SC3, Policy QHSN6, Policy QHSN7, Policy QHSN38 and Section 5.1 of the Development Plan.
- 8.3.2. From the offset, I submit that the planning status of the residential unit on the second floor has been unclear across several planning applications. At time of site visit, I had access to the majority of the two buildings and external space to the rear of No. 24, however access to the third floor of Unit 25 was not possible.
- 8.3.3. Policy SC3 seeks 'to promote a mixed-use land use policy in the city centre, including the provision of high quality sustainable residential development and facilitating the conversion of both old office buildings and over the shop spaces to residential'.
- 8.3.4. The Planning Authority contended that the applicant did not provide an appropriate justification for the loss of the upper floor residential unit given that the scheme proposes no residential use and is also significantly reducing the overall mix of uses associated with the existing development.
- 8.3.5. The report of the Planning Authority disagrees with the applicant in respect of the interpretation of Policy SC3. The Planning Authority contends that the policy focuses specifically on mixed-use schemes with a residential element. (Emphasis by the Planning Authority). I note that the wording of the policy does not specifically state that an element of a mixed-use scheme shall be or is required to consist of residential. My interpretation of the policy is such that the Development Plan seeks to *promote* mixed use land use and that residential development can be considered in mixed use

schemes. I note the first party's contention that while the policy relates to the promotion of mixed uses, 'including' residential but it is not intended to result in a refusal of permission for every mixed-use scheme that does not include residential. I would share the interpretation of the first party in this regard. I also refer to policy associated with the Z5 zoning objective which sets out the following; *'In the interests of promoting a mixed-use city, it may not be appropriate to allow mono office use on Z5 zoned lands, particularly on large scale development sites, or allow an overconcentration of hotel uses in a particular area. Therefore, where significant city centre sites are being developed, an element of residential and other uses as appropriate should be provided to complement the predominant office use in the interests of encouraging sustainable, mixed use development.'* I acknowledge the site in question is not of a significant scale and not a mono office use, however I note that the policy in this instance refers to the development of sites of significant scale whereby an element of residential and other uses *should* be provided, to encourage mixed use development.

- 8.3.6. As noted above, the development now proposes a gallery and café use at ground floor level and together with the hotel use provides for an appropriate mixed-use development and in my opinion satisfactorily accords with Policy SC3.
- 8.3.7. Policy QHSN6 refers to residential consolidation and the reuse/adaption of existing housing stock and use of the uppers floors. Policy QHSN 7 seeks to resist and reverse the loss of residential units on upper floors.
- 8.3.8. I note the referenced policies within the reason for refusal, and I submit that the wording of these policies does set out a mandatory formal requirement that residential shall be provided but promotes for the inclusion of housing.
- 8.3.9. In relation to Policy QHSN7, the Planning Authority in their assessment sets out that the Planning Authority will generally resist the loss of residential at upper floors in order to promote the Living City Initiative. For the purposes of clarity, I note that the subject site is located outside of the designated Living City Area Special Regeneration Area.
- 8.3.10. Policy QHSN38 is referred to in the second reason for refusal. The assessment of the Planning Authority does not provide an assessment of the relevance of this policy to the proposed development. This policy refers to housing and apartment mix in the context of the creation of attractive, mixed use, sustainable residential communities. I

consider that this policy is of more relevance to a residential development in terms of the mix and type of units being provided.

8.3.11. The report of the Planning Authority also refers to the concerns of the Conservation Officer in respect of the loss of a residential unit in a protected structure. I acknowledge the concerns raised however I note that the assessment of the Conservation Officer refers to 'the use of historic townhouses as full-time residential accommodation which contributes to the character of the Z2 planning zone by reinforcing the precedent for city centre living which mitigates underuse and potential dereliction of historic buildings'. I am unsure if the reference to the Z2 zoning objective is a typographical error. I note that the objective of the Z2 Zoning Objective seeks 'To protect and/or improve the amenities of residential conservation areas' with the principal land-use encouraged being housing. I consider that the loss of a residential unit within the Z5 Zoning Objective would be materially different to the loss of a residential unit with Z2 Zoned Lands.

8.3.12. As noted above, the subject site is located within the Z5 planning zone, the objective of which seeks 'To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity'. Section 7.3 of the Architectural Heritage Protection Guidelines recognises that the best method of conserving a historic building is to keep it in active use. It is further stated that *'While a degree of compromise will be required in adapting a protected structure to meet the requirements of modern living, it is important that the special interest of the structure is not unnecessarily affected. Where a change of use is approved, every effort should be made to minimise change to, and loss of, significant fabric and the special interest of the structure should not be compromised'* (my emphasis)

I note the referred ambiguity regarding the planning status of the residential use, which I submit is a matter for the Enforcement Section of the Planning Authority.

In this instance, while I accept the loss of the residential unit is regrettable, I do not consider that such loss in insulation would have a meaningful impact upon the existing or future provision of housing in Dublin City. I submit that the proposed development has the potential to provide an appropriate mix of uses which would integrate with the cultural and civic identity of Frederick Street South.

To conclude, I do not agree with the Planning Authority's interpretation of Policy SC3 that each mixed-use development must include for a residential element. I have had regard to the wording of Policy SC3 of the Dublin City Development Plan 2022-2028 and in my opinion, the wording does not specifically set out a mandatory requirement to provide a residential element in all mixed-use developments. In this regard I do not consider that the granting of permission would constitute a material contravention of the development plan and that if the Commission are minded to grant permission would not be constrained by Section 37 of the Planning and Development Act 2000, as amended.

8.3.13. I recommend that the second reason for refusal be set aside.

8.4. Guest Amenity (Third Reason for Refusal)

8.4.1. Section 15.14.1.1 of the Dublin City Development Plan 2022-2028 relates to design considerations for hotel use. In terms of guest amenity, the policy requires that hotel room size and layout should be designed to ensure a high level of amenity is obtained to accommodate both short and long stay durations.

8.4.2. The Planning Authority referred to the lack of reception facilities or food associated uses within the hotel.

8.4.3. In terms of the lack of reception facilities, I refer to the first party response to the appeal which sets out that guests who are staying within the hotel at No. 12 Frederick Street South check in at No. 29 and 30 Frederick Street South. The same arrangement is proposed to be implemented for the subject properties. I acknowledge the applicant's willingness to accept a condition, should the Commission consider it appropriate, to subdivide the gallery space to provide for a small reception area. I do not consider that this would be appropriate as such subdivision would likely undermine the integrity of the intended gallery space. I am satisfied that the applicant has considered this arrangement as an intrinsic part of the overall development as it has been demonstrated from the outset that the hotel use in properties No. 24 and 25 Frederick Street South will be operationally linked to the extant hotel use at No. 12, 29 and 30 Frederick Street South.

8.4.4. I note that the original plans which accompanied the application indicated the use of the historic warehouse for the purposes of 'lounge'. The original Planning Statement

also referred to the proposed provision of breakfast to be within the historic warehouse.

- 8.4.5. The updated plans accompanying the appeal identify the historic warehouse as being 'hotel breakfast lounge'.
- 8.4.6. I acknowledge that the layout of the hotel is somewhat different to that of a conventional purpose-built hotel; however, I accept that the buildings proposed to be retrofit are not conventional by their nature.
- 8.4.7. Based on the plans provided, I am satisfied that the proposed reuse of the historic warehouse for the purposes of a breakfast lounge not only benefits the integrity of the protected structure by virtue of its retention in situ but also that of the guest amenity facilities.
- 8.4.8. The Planning Authority refers to the potential for excessive over-looking to arise into the ground floor hotel rooms by virtue of the orientation of the windows addressing the circulation area.
- 8.4.9. I acknowledge the importance of guest amenity however given the nature of the intended short-term occupation of the rooms, issues such as over-looking are not constrained by the same level of protection that residential dwelling or apartment would be subject to.
- 8.4.10. Notwithstanding, I refer the Commission to the revised plans which accompany the appeal documents and demonstrated amendments to ensure the protection of privacy would be afforded to the occupants. I consider that the first party has adequately addressed this issue and that no undue over-looking would arise.
- 8.4.11. The assessment of the Planning Authority also refers to safety issues offered to hotel guests. The assessment does not specifically set out what the safety concerns are. I would submit that the applicant has clearly stated that the use of the subject sites would be operationally linked to the extant hotel use at No.'s 12, 29 and 30 Frederick Street South. I acknowledge the concerns of the Planning Authority raised in this regard; however, I would submit that the issue of safety for occupants falls within the operation and management of the hotel and is outside the scope of the appeal.

I have had regard to the wording of Section 15.14.1.1 of the Dublin City Development Plan 2022-2028 and in my opinion, the wording is not specific that a grant of

permission would be a material contravention. In this regard I do not consider that the granting of permission would constitute a material contravention of the development plan and that if the Commission are minded to grant permission would not be constrained by Section 37 of the Planning and Development Act 2000, as amended.

- 8.4.12. I do not consider that the development as proposed would be contrary to Section 15.14.1.1 of the Dublin City Development Plan 2022-2028 and I recommend that the third reason for refusal be set aside.

8.5. Conservation

- 8.5.1. I note that the reasons for refusal by the Planning Authority did not specifically relate to the impact upon the protected structures.
- 8.5.2. The report of the Conservation Officer noted issues of concern which were recommended to be addressed by way of further information.
- 8.5.3. The report of the Conservation Officer reiterated the concerns expressed by Conservation Officers in previous reports regarding the cumulative impact of the development and stated that the same concerns are relevant for this current planning application. The report included an extract from the previous reports which refers to the homogenisation of use with the particular concern noted to be the resultant amalgamation of historic building plots and intensification of services to accommodate hotel use. The extract concluded that the cumulative impact of a series of planning applications along this street to accommodate hotel use is detrimental to the significance and special character of the street, as set out in Section 13.4.4 of the Architectural Heritage Protection Guidelines 2011.
- 8.5.4. Notwithstanding the concerns of the Conservation Officer, having reviewed the proposed plans submitted as part of the original planning application, I am satisfied that No. 24 and 25 Frederick Street South would retain their presence as separate buildings when viewed within the streetscape. The applicant has ensured this by virtue of the publicly accessible uses to be located at ground floor level. Furthermore, the only connection between the two buildings would be via a proposed opening in the northern wall of a non-original annex to the rear of No. 25. The plots are not proposed to be amalgamated to the rear. At time of my site visit, the two plots appear to be separated by way of the northern wall of the built footprint of No. 25, i.e. the historic

warehouse which is proposed to be retained and not removed. There was no presence of an existing dividing party wall.

- 8.5.5. I acknowledge that the proposed modest development associated with No. 24 would further reduce the rear garden area. However, I am satisfied that in general, the plot layouts are not proposed to be amalgamated in a manner that could not easily be reversed. I refer to PA Ref. 4441/23 which proposed the construction of a rear extension which would span the width of the two properties and created an amalgamation of the plots. This approach was not accepted by the Conservation Officer with reference to the Dublin City Development Plan 2022-2028 which states that 'new development (should) not adversely impact the curtilage or the special character of the Protected Structure'. It was contended that the legibility of the historic plots by the retention of the historic boundary walls should be retained. Save for the rear boundary wall, I note that there are no historic party walls evident on site.
- 8.5.6. I am satisfied that the proposed development would not impact upon the urban grain of these properties which has a typified narrow plot width and would not impact upon the special architectural character of the properties within the street or rearward setting.
- 8.5.7. Concern was raised in respect of several elements that would compromise the historic internal plan form and legibility of the structure.
- 8.5.8. The Conservation Officer noted that the proposed en-suite bathrooms would be placed against the historic doorways from the landings. It was contended that the removal of the traditional access from the landings to the front rooms would be regrettable and would impact on the understanding of the historic planform.
- 8.5.9. The AIHA which accompanied the application also addressed the issue of the location of bathrooms and doors. The report recommended that the internal architrave and door should be retained and protected with a reversible barrier layer to preserve original Georgian doorways. I also note that the report of the Conservation Officer sets out the need for a photographic door survey and that where a doorway is proposed to be blocked up, that the door and architrave be retained in situ and presented on the public facing wall side. I refer to Section 11.2.2 of the Architectural Heritage Protection Guidelines which also recommends that redundant internal doors should be retained in position and simply locked shut rather than stripped out and the opening blocked

up. I consider that this could be addressed by condition and once the historic doors are retained in situ, the understanding of the historic planform would not be unduly undermined and could be reversed at a future date should the need arise.

8.5.10. I also note that Section 7.4 of the AHIA which accompanies the application, acknowledges the inclusion of the en-suites within the room layouts but submits that these should terminate below the level of the cornice to allow the proportions of the original rooms to remain readable.

8.5.11. Concern was raised by the Conservation Officer in relation to the fire lobby serving the ground floor rear room of No. 24. Save for the layout of Room 24, the proposed layout now removes the masking of the chimneybreasts within the rear rooms that was previously proposed under ABP-318532-23. The chimney breast in all other rooms is legible with plans indicating the reinstatement of fireplaces in certain rooms. I consider that the layout of room no. 24 would be the exception rather than the rule. I note that the chimney breasts are identified as being a defining feature of these buildings and the general layout now enables their legibility. I consider that this would be a conservation gain.

8.5.12. I would refer to Section 7.11 of the Architectural Heritage Guidelines in respect of reversibility of works, which could be ensured through sensitive construction methods under the supervision of a Conservation Specialist with a Conservation Method Statement. This could be addressed by condition.

8.5.13. I note the concerns raised in respect of the proposed alterations to the rear extensions associated with No. 24. The Conservation Officer contends that the proposed development would contravene Policy BHA2 (a) and (g) of the Dublin City Development Plan 2022-2028.

8.5.14. I refer to the description of No. 24 within the National Inventory of Architectural Heritage which describes the cruciform roof design, steeply pitched gabled rear elevation, central chimney stack and closet return being the important physical features which indicate the earlier appearance of the house. I submit that the further extensions to the rear of the property are not specifically referenced.

8.5.15. At time of site visit, I had access to the external rear area of No. 24. It was my observation that the extensions to the rear do not have significant architectural significance. I also contend that the proposed development now includes for the

incorporation and reuse of the historic warehouse to the rear of No.25 as an intrinsic and active part of the overall hotel development. I note that the applicant had previously proposed the demolition of this structure as part of earlier applications.

8.5.16. I accept that the structural interventions to the extensions to the rear of No.24 and amendment to the roof profiles would result in loss of an element of historic fabric which is regrettable. From my review of the plans and Architectural Heritage Impact Assessment there is no reference to external finishes and whether the existing slates would be reused for the amendments to the roof of the remaining extension. In the absence of information to demonstrate otherwise, I would submit that there is an opportunity to consider the reuse the existing roof slates. In my opinion, the reuse of the existing slates would ameliorate for the amendments proposed to the roof profile and subsequently aid in the integration of the amendments within the rear setting of the protected structure. In addition to the foregoing, I would also submit that in this instance, the historic warehouse has greater architectural value, and the demolition of this structure would have resulted in significant loss of historic fabric. The development also proposes the reinstatement of timber sliding sash windows to all opes within the rear elevation. In this regard I would contend that the loss of historic fabric is modest relative to the conservation gains proposed to be achieved by the applicant.

8.5.17. In relation to the reduction in width of the rear garden. I do not necessarily agree with the Planning Authority that these works, if permitted would permanently diminish the special character of the protected structure and its setting. I note that the original setting of these sites had a rear access onto Stable Lane which has long since been removed. I submit that the applicant has reduced the overall scale of the development that was originally proposed and is also now proposing to retain the historic warehouse as an intrinsic part of the development. I accept the concerns raised regarding impact to the protected structures however I would submit that the beneficial gain in this regard is the reuse of the historic warehouse. Furthermore, as the sites are not proposed to be physically amalgamated by development, the legibility of the narrow plot widths would be retained.

8.5.18. The works to the rear, in my opinion would be sympathetic to and wholly subservient to the setting and character of the protected structure. By virtue of the enclosed nature of the rear of the site, and the high wall of the adjoining Setanta Centre, the works to the rear would not be immediately visible. Furthermore, I note that the works would

not affect the steep gable features of the rear roof profile for which the special character of the structures is noted for. I am satisfied that the predominant form and structural integrity of the protected structures would be retained as part of the development.

- 8.5.19. I do not consider that the development seeking permission would be contrary to Policy BHA2 of the Dublin City Development Plan 2022-2028. I note that the Conservation Report of the Planning Authority notes that the two storey over basement extension was extant by the 1840's and that the single storey addition was erected later. In this regard, I do not consider that the development as proposed would be contrary to Policy BHA6 of the Dublin City Development Plan 2022-2028.
- 8.5.20. The updated plans provided by the applicant which accompanies the appeal indicates the inclusion of the plant to the flat roof of the rear of No. 25 and proposes amendments to the plant indicated to be mounted on the flat roof to the rear of No.24. I note that that drawing no. 1907-A-PL-02-201 (southeast elevation – proposed) received by An Coimisiún Pleanála on the 5th of June 2026 indicates that the plant to the rear of No. 25 would be visible above the rear boundary wall. Having regard to the height of the existing wall within the Setanta Centre, I do not believe that such plant would be visible from the public walkway to the rear within the Setanta Centre.
- 8.5.21. In my assessment I have also had regard to the development approved on the adjacent lands to the east. I do not consider that the cumulative plant installations or the amendments to the roof profile would be unduly impactful to the setting of the Protected Structures or the visual amenities external to the site.
- 8.5.22. While I accept the internal alterations proposed, I am satisfied that such works would not adversely impact the structures overall architectural heritage value and would facilitate the building being maintained in active use and avoid potential dereliction arising.
- 8.5.23. Having reviewed the planning history associated with the subject site, I would submit that the evolution of the three proposals on the site demonstrates that the development currently under consideration would have minimal intervention to the structural integrity and setting of the protected structures.

8.6. Other Issues

8.6.1. Parking

The development proposes no bicycle or car parking facilities. From site visit I note the presence of on-street bicycle parking along the eastern side of Frederick Street South in addition to an extensive Dublin Bike Scheme within the southern end of Frederick Street South. In this regard, the non-provision of bicycle parking was accepted by the Planning Authority.

I note from the assessment of ABP-318532-23 it was considered acceptable that provision be made for the sharing of the provision of staff cycle parking and changing /showering facilities with the Trinity Townhouse Hotel regard being had to the limited size of the proposed hotel and the linked operation proposed. It was recommended that this be dealt with by condition. I would submit that a similar arrangement should be provided for in this instance. While I note that no cycle parking would be provided for patrons I would submit that there is adequate on street parking available. I consider that there is discretion within the supporting policy of Table 1 'Bicycle Parking Standards for Various Land Uses' to facilitate this.

In respect of car parking, no parking spaces are being provided. I note that the site is located within Zone 1 as per Map J and are 'Maximums'. The standard for cafes and hotel use is set as 'None'. The applicant in their planning statement which accompanies the subject application, sets out a justification for the non-provision of car parking spaces. I acknowledge the city centre location and the proximity to public transport in addition to the proximity to and availability of multiple car parking centres. It is set out that the existing operation at No. 12, 29 and 30 Molesworth Street has a working relationship with the Q-Park Setanta Place. I am satisfied that the proposed development by virtue of its location within Zone 1 and the requirements of Table 2 of the Appendix 5 would not constitute a material contravention of the development plan.

Servicing

The application is accompanied by an Operational Waste Management Plan which sets out that wastes generated be deposited into bulk bins in the bulk bin storage area at No. 12 Frederick Street South. Section 11 of the report outlines that waste collection

contractors can access the bins on Dawson Street. Waste collections occur 3-4 times per week.

The Planning Authority did not have any concerns in this regard. I would agree that this is a considered approach to the treatment of waste and would not give rise to further commercial servicing vehicles on Frederick Street South. I would recommend that a condition be included to require a servicing plan to be submitted and agreed in writing with the Planning Authority.

I also note from site visit that there are dedicated loading bays along the eastern side of Frederick Street South.

Having regard to the foregoing, I am satisfied that the subject use can be serviced appropriately without undue impact to the amenities of the area.

8.6.2. Flood Risk

A flood risk assessment has been prepared by BDP which has been informed by the document Guidelines for Planning Authorities, 'The Planning System and Flood Risk Management'. The report sets out that the site is located within Flood Zone C however acknowledges the existing lower ground floor level and its intended use for habitable accommodation. Modelling undertaken places these properties at a significant risk to pluvial flooding. Based on the source pathway receptor model within the report, it is contended that risk from pluvial flooding to the site would be low and mitigation measures are recommended. I recommend that a condition in this respect be attached in the event of a grant of permission.

9.0 AA Screening

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), Northwest Irish Sea cSPA (004236), South Dublin Bay SAC (000210), North Dublin Bay SAC (000206) and Rockabill to Dalkey SAC (003000) in view of the conservation

objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The brownfield nature of the site and its location within a serviced urban area with available capacity noted at Ringsend WWTP.
- The distance to the European Sites and the urban intervening landscape.
- The screening determination of the planning authority.

10.0 Water Framework Directive

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that permission be granted for the development subject to the following conditions.

12.0 Reasons and Considerations

Having regard to the Z5 Zoning Objective, where hotel use is a permissible use, it is considered that the proposal would not result in an overconcentration of hotel use within the immediate area nor would the proposed use create a homogeneous use along Frederick Street South. The development proposes publicly accessible uses at ground floor level of each unit which will complement the existing range of uses available within Frederick Street South and will contribute to the cultural and civic identity of the street.

The loss of the single residential unit is acknowledged however it is not considered to be significant in the context of the provision of residential use in the wider city centre.

The proposed mixed-use development satisfactorily accords with the requirements of Policy SC3 of the Development Plan.

Satisfactory guest amenity has been provided for and the operational links with the established hotel use on Frederick Street South has been adequately demonstrated, which this development would form part of.

The internal works proposed would not give rise to significant adverse effects upon the legibility or heritage value of the Protected Structures. The proposed external works to the rear elevation are modest. The replacement of all windows to the rear elevation and inclusion for the active use of the historic warehouse as an intrinsic part of the hotel use are considered to be significant beneficial conservation gains which avoid potential dereliction. The works would not seriously injure the integrity and setting of the protected structures or the visual amenities of the surrounding Conservation Area within which the site is located.

The proposed development would 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, received by the planning authority on the 18th day of March 2026 and as received by An Coimisiún Pleanála on the 5th of June

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. Prior to the commencement of the development, the developer shall provide for and shall submit and agree in writing with the planning authority the following requirements;

- (a) A full photographic survey of the existing buildings, both internal and external.
- (b) A record of all surviving historic fabric to be repaired and retained to include doors, architraves, windows, linings, plaster ceilings and cornices, timber floorboards and other floor finishes and all other historic fabric.
- (c) A detailed photographic survey of each door leaf and associated architraves. The description shall clarify the period from which the doors and architraves date.
- (d) Where a doorway is proposed to be blocked up, the existing door and architrave shall be retained in situ and presented on the public facing wall side. The development shall provide detailed drawings to demonstrate how obsolete door openings would be permanently closed over. Methodologies shall allow for the retention of the architraves and doors in situ.
- (e) Full details of all proposed joist strengthening works.
- (f) Details of the range and extent of repointing/cleaning/repair works to brick, stonework and render on all facades.
- (g) details of historic features of interest encountered during the works on inspection by the Conservation Officer as required.
- (h) Details of openings within existing internal party walls.
- (i) A detailed Conservation Method Statement, incorporating all recommendations set out in the Architectural Heritage Impact Assessment prepared by Dr. Jason Bolton which accompanied the planning application, to be prepared by a suitably qualified

Conservation Architect to cover all proposed works including demolition, construction, repair and refurbishment.

Reason: To ensure that the integrity of the protected structures are maintained.

3. The developer shall comply with the following requirements to the satisfaction of the Planning Authority;

(a) The proposed development shall be carried out under the direction of a suitably qualified Conservation Architect in accordance with the recommendations within Architectural Heritage Protection: Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government.

(b) All permitted works shall be designed to cause minimum intervention to the retained building and facades structure and /or surviving historic fabric and shall be carried out by experienced conservators to the highest conservation standards and historic fabric shall be protected throughout the construction stage. Any fabric identified for repair off site shall be recorded prior to removal, catalogued and numbered to allow for re-instatement.

Reason: In the interest of clarity and best historic building conservation practice.

4. The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning

authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

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

5. Prior to the commencement of the development details of materials, colours and textures of all external finishes including signage and details of illumination (if any) shall be submitted to and agreed in writing with the planning authority. The developer shall, where possible include for the reuse of the existing roof finishes arising from the works to the rear of No. 24 Frederick Street South.

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

6. Prior to the commencement of the development, a fully detailed Servicing Management Plan shall be submitted to and agreed in writing with the Planning Authority. The implementation of the measures provided for in the plan shall be managed, monitored and reviewed by the operator of the development.

Reason: In the interest of pedestrian and vehicular safety and convenience.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of the development. This plan shall be prepared in accordance with 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects', published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

8. Site development and building works shall be carried out between the hours of 0800hrs and 1800hrs Mondays to Fridays inclusive, between 0800hrs and 1400 hrs 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.

9. Prior to the commencement of the development the developer shall enter into a Connection Agreement (s) with Uisce Eireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health.

10. Water supply and drainage arrangements including the attenuation of surface water and details of flood risk management/mitigation (for the lower ground floor accommodation) shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

11. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, no additional development shall take place above roof level of the new works, including air handling equipment, storage tanks, ducts, or other external plant other than those already shown on the drawings submitted with the application and those submitted to An Coimisiún Pleanála on the 5th of June 2026 unless authorised by a prior grant of planning permission.

Reason: In the interest of clarity.

12. Details of the provision of staff cycle parking and associated changing/showering facilities shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

13. 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 parking arrangements 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 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.

14. During the operational phase, the noise levels from the site, measured as an LAeq (5mins at night, 15 mins in day) when all plant is operating, shall not exceed the LA90 by 5dB(A) or more. Noise levels shall not be so loud, so continuous, so repeated of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place.

No amplified music shall be erected externally or in such a way that music played on the premises is audible outside the premises.

Reason: To protect the amenities of the area.

15. No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the site boundary. The design and installation of the ventilation system shall be undertaken by a suitably qualified person. The extract from the ventilation system shall not be emitted to a courtyard or confined area.

Reason: To protect the amenities of the area.

16. 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.

17. The developer shall pay to the planning authority a financial contribution in respect of the LUAS Cross City Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

18. 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 satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. 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: To ensure satisfactory reinstatement of the site.

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.”

Carol Hurley

Planning Inspector

9th of September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501494-DS-26
Proposed Development Summary	• The change of use of part of the ground floor from gallery to hotel and café use. • The change of use of the lower ground, first, second and third floors from gallery, office, yoga studios and residential use to hotel use. • The hotel development which comprises 19 no. en-suite bedrooms and ancillary areas, will be operationally linked to the Trinity Townhouse Hotel located at No.'s 12, 29 and 30 Frederick Street, Dublin 2. • The development will increase the gross floor area of No.'s 24 and 25 Frederick Street South by 16sqm (from c.925sqm to c. 941sqm) and will include; ○ Internal room modifications ○ The provision of a link between No. 24 and 25 at ground floor level ○ The replacement of the non-original PVC windows to the rear of the existing properties with timber sliding sash windows; ○ Signage ○ Bin storage ○ Plant ○ And all associated site works above and below ground.

	The development will comprise a multi-use building including hotel (870sqm), café (49sqm) and art gallery (22sqm).
Development Address	No. 24 and No. 25 Frederick Street South, Dublin 2.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	

☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ 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?	
☐ 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. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR	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 built-up area and 20 hectares elsewhere.

If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501494-DS-26
Proposed Development Summary	• The change of use of part of the ground floor from gallery to hotel and café use. • The change of use of the lower ground, first, second and third floors from gallery, office, yoga studios and residential use to hotel use. • The hotel development which comprises 19 no. en-suite bedrooms and ancillary areas, will be operationally linked to the Trinity Townhouse Hotel located at No.'s 12, 29 and 30 Frederick Street, Dublin 2. • The development will increase the gross floor area of No.'s 24 and 25 Frederick Street South by 16sqm (from c.925sqm to c. 941sqm) and will include; ○ Internal room modifications ○ The provision of a link between No. 24 and 25 at ground floor level ○ The replacement of the non-original PVC windows to the rear of the existing properties with timber sliding sash windows; ○ Signage ○ Bin storage ○ Plant

	○ And all associated site works above and below ground. • The development will comprise a multi-use building including hotel (870sqm), café (49sqm) and art gallery (22sqm).
Development Address	No.24 and No. 25 Frederick Street South, Dublin 2.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development is for a change of use to hotel use which is in an area of the city centre that is characterised by a range of commercial uses in addition to residential. The development proposes a very modest element of demolition and construction. The proposed development would not be exceptional in the context of the existing environment in terms of its nature. The development by virtue of its type does not pose a risk of major accident or disaster or is vulnerable to climate change. It presents no risk to human health.

Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development would be located in a serviced area of the city. The development would not have the potential to significantly impact ecologically sensitive sites. The development would be situated in an urban area on a site addressing the street. The two properties are designated Protected Structures (Refs. No. 24 Frederick Street South, RPS. No.2989 and No. 25 Frederick Street South RPS. No. 2990) not located within an Architectural Conservation area but Frederick Street South is located within a Conservation Area. The sites are designated as Recorded Monuments, Ref.'s DU018-487 and DU018-488 and are listed on the National Inventory of Architectural Heritage and are within an archaeological buffer zone. Conditions in relation to conservation and archaeology would be appropriate in the event of a grant of permission. Having regard to the modest scale of works proposed it is not anticipated that an undue visual change to the setting or character of the area would be created.
Types and characteristics of potential impacts	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.

(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Standard AA Screening Determination Template 2

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-501494-DS-26	
Step 1: Description of the project and local site characteristics	
Brief description of project	Change of use of part of the ground floor from gallery to hotel and café use and the change of use of the lower ground, first, second and third floors from gallery, office, yoga studios and residential to hotel use at No. 24 and 25 Frederick Street South, Dublin 2.
Brief description of development site characteristics and potential impact mechanisms	The proposed development relates to a site with a stated area of 0.038 hectares. The site is located within Dublin City Centre. The duration of the construction works is estimated to be six months. The existing drainage catchment is combined with no existing separate storm drainage network. Having regard to the context of the site, the opportunity to retrospectively implement Sustainable Drainage Systems is limited. Permeable paving has been proposed within the

	internal courtyard area on the lower ground floor and a separate internal foul and surface water system is to be installed for the new foul water popups and rainwater pipe connections. The closest watercourse to the site is the Liffey Estuary Upper and is located c.550m to the north of the proposed development. The soil beneath the site is mapped as Made. Air and Land pathways were considered but the intervening urban area provides a substantial buffer to prevent pathways from occurring. No S-P-R links of note were identified.
Screening report	Yes (Prepared by DNV)
Natura Impact Statement	No
Relevant submissions	N/A
Step 2. Identification of relevant European sites using the Source-pathway-receptor model Two European sites are potentially within a zone of influence of the proposed development.	

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
South Dublin Bay and River Tolka Estuary SPA (004024)	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193]	c.3km to the southeast and 2.6km to the northeast.	Construction and Operational Phase Hydrological- Surface and foul water via the combined sewage network during times of exceptional rainfall where the combined sewage network may overflow and discharge directly into the River Liffey. Groundwater flows Air and Land via dust, noise, vibration and general anthropogenic impacts	Y

	Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]			
North Bull Island SPA (004006)	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160]	c.5.7km to the northeast	Construction and Operational Phase Hydrological-Surface and foul water via the combined sewage network during times of exceptional rainfall where the combined sewage network may overflow and discharge directly into the River Liffey. Ground water flows Air and Land via dust, noise, vibration and general anthropogenic impacts	Y

	Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Shoveler (<i>Spatula clypeata</i>) [A857] Wetland and Waterbirds [A999]			
Northwest Irish Sea cSPA (004236)	Red-throated Diver (<i>Gavia stellata</i>) [A001] Great Northern Diver (<i>Gavia immer</i>) [A003] Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Common Scoter (<i>Melanitta nigra</i>) [A065]	c.7.7km to the northeast	Construction and Operational Phase Hydrological-Surface and foul water via the combined sewage network during times of exceptional rainfall where the combined sewage network may overflow and discharge directly into the River Liffey. Ground Water flows Air and Land via dust, noise,	Y

Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Great Black-backed Gull (<i>Larus marinus</i>) [A187] Kittiwake (<i>Rissa tridactyla</i>) [A188] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204]		vibration and general anthropogenic impacts	
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	Little Gull (<i>Hydrocoloeus minutus</i>) [A862] Little Tern (<i>Sternula albifrons</i>) [A885]			
South Dublin Bay SAC (000210)	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]	2.9km southeast	Construction and Operational Phase Hydrological- Surface and foul water via the combined sewage network during times of exceptional rainfall where the combined sewage network may overflow and discharge directly into the River Liffey. Ground water flows Air and Land via dust, noise, vibration and general anthropogenic impacts	Y

North Dublin Bay SAC (000206)	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]	c. 5.5km to the northeast	Construction and Operational Phase Hydrological-Surface and foul water via the combined sewage network during times of exceptional rainfall where the combined sewage network may overflow and discharge directly into the River Liffey. Ground Water flows Air and Land via dust, noise, vibration and general anthropogenic impacts	Y

	Humid dune slacks [2190] Petalophyllum ralfsii (Petalwort) [1395]			
Rockabill to Dalkey SAC (003000)	Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351]	c. 11km to the east	Construction and Operational Phase Hydrological- Surface and foul water via the combined sewage network during times of exceptional rainfall where the combined sewage network may overflow and discharge directly into the River Liffey. Ground water flows Air and Land via dust, noise, vibration and general anthropogenic impacts	N

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³ if no connections: N

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
Site 1: Name (code) South Dublin Bay and River Tolka Estuary SPA (004024) Light-bellied Brent Goose (Branta bernicla hrota) [A046] Oystercatcher (Haematopus ostralegus) [A130]	Direct: None Indirect Hydrological Construction – potential for source of pollution from construction related activities during a rainfall event draining into the combined sewage network and groundwater. Air and Land Pathways via dust, noise, vibration and general anthropogenic impacts.	Noting the contained nature of the site (serviced, defined site boundaries, the absence of direct ecological connections or pathways) the absence of a significant increased loading to Ringsend WWTP and distance from receiving features connected to the European site make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the site for the SCI listed. Having regard to intervening landuses, significant ex-situ effects on QIS's are not anticipated. Conservation objectives would not be undermined.

Ringed Plover (Charadrius hiaticula) [A137] Grey Plover (Pluvialis squatarola) [A141] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Redshank (Tringa totanus) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179] Roseate Tern (Sterna dougallii) [A192] Common Tern (Sterna hirundo) [A193] Arctic Tern (Sterna	Operational – potential source of pollution via the combined sewage network during a rainfall event draining into the combined sewage network.	
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paradisaea) [A194] Wetland and Waterbirds [A999]		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.	
	Impacts	Effects
Site 2: Name (code) South Dublin Bay SAC (000210) Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210]	Direct: None Indirect Hydrological Construction – potential for source of pollution from construction related activities during a rainfall event draining into the combined sewage network and groundwater. Air and Land Pathways via dust, noise, vibration and general anthropogenic impacts.	Noting the contained nature of the site (serviced, defined site boundaries, the absence of direct ecological connections or pathways) the absence of a significant increased loading to Ringsend WWTP and distance from receiving features connected to the European site make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the site for the SCI listed. Conservation objectives would not be undermined.

Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]	Operational – potential source of pollution via the combined sewage network during a rainfall event draining into the combined sewage network	
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.	
	Impacts	Effects
Site 3: Name (code) North Bull Island SPA (004006) Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048]	Direct: None Indirect Hydrological Construction – potential for source of pollution from construction related activities during a rainfall event draining into the combined sewage network and groundwater.	Noting the contained nature of the site (serviced, defined site boundaries, the absence of direct ecological connections or pathways) the absence of a significant increased loading to Ringsend WWTP and distance from receiving features connected to the European site make it highly unlikely that the proposed development could generate

Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157]	Air and Land Pathways via dust, noise, vibration and general anthropogenic impacts. Operational – potential source of pollution via the combined sewage network during a rainfall event draining into the combined sewage network	impacts of a magnitude that could affect habitat quality within the site for the SCI listed. Conservation objectives would not be undermined. Having regard to intervening landuses, significant ex-situ effects on QIS's are not anticipated. Conservation objectives would not be undermined.
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Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169] Black-headed Gull (Chroicocephalus ridibundus) [A179] Shoveler (Spatula clypeata) [A857] Wetland and Waterbirds [A999]		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.	
	Impacts	Effects

Site 4: Name (Code) Northwest Irish Sea cSPA (004236) Red-throated Diver (Gavia stellata) [A001] Great Northern Diver (Gavia immer) [A003] Fulmar (Fulmarus glacialis) [A009] Manx Shearwater (Puffinus puffinus) [A013] Cormorant (Phalacrocorax carbo) [A017] Shag (Phalacrocorax aristotelis) [A018] Common Scoter (Melanitta nigra) [A065] Black-headed Gull (Chroicocephalus ridibundus) [A179]	Direct: None Indirect Hydrological Construction – potential for source of pollution from construction related activities during a rainfall event draining into the combined sewage network and ground water. Air and Land Pathways via dust, noise, vibration and general anthropogenic impacts. Operational – potential source of pollution via the combined sewage network during a rainfall event draining into the combined sewage network	Noting the contained nature of the site (serviced, defined site boundaries, the absence of direct ecological connections or pathways) the absence of a significant increased loading to Ringsend WWTP and distance from receiving features connected to the European site make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the site for the SCI listed. Conservation objectives would not be undermined. Having regard to intervening landuses, significant ex-situ effects on QIS's are not anticipated. Conservation objectives would not be undermined.
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Common Gull (Larus canus) [A182]		
Lesser Black-backed Gull (Larus fuscus) [A183]		
Herring Gull (Larus argentatus) [A184]		
Great Black-backed Gull (Larus marinus) [A187]		
Kittiwake (Rissa tridactyla) [A188]		
Roseate Tern (Sterna dougallii) [A192]		
Common Tern (Sterna hirundo) [A193]		
Arctic Tern (Sterna paradisaea) [A194]		
Guillemot (Uria aalge) [A199]		
Razorbill (Alca torda) [A200]		
Puffin (Fratercula arctica) [A204]		

Little Gull (Hydrocoloeus minutus) [A862] Little Tern (Sternula albifrons) [A885]		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.	
	Impact	Effects
Site Code 5: Name (Code) North Dublin Bay SAC (000206) Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals	Direct: None Indirect Hydrological Construction – potential for source of pollution from construction related activities during a rainfall event draining into the combined sewage network and groundwater. Air and Land Pathways via dust, noise, vibration and general anthropogenic impacts.	Noting the contained nature of the site (serviced, defined site boundaries, the absence of direct ecological connections or pathways) the absence of a significant increased loading to Ringsend WWTP and distance from receiving features connected to the European site make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the site for the SCI listed. Conservation

colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] <i>Petalophyllum ralfsii</i> (Petalwort) [1395]	Operational – potential source of pollution via the combined sewage network during a rainfall event draining into the combined sewage network	objectives would not be undermined.
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	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.	
	Impacts	Effects
Site 6: Name (code) Rockabill to Dalkey SAC (003000) Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351]	Direct: None Indirect Hydrological Construction – potential for source of pollution from construction related activities during a rainfall event draining into the combined sewage network and groundwater. Air and Land Pathways via dust, noise, vibration and general anthropogenic impacts. Operational – potential source of pollution via the combined sewage network during a rainfall event draining into the combined sewage network	Noting the contained nature of the site (serviced, defined site boundaries, the absence of direct ecological connections or pathways) the absence of a significant increased loading to Ringsend WWTP and distance from receiving features connected to the European site make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the site for the SCI listed. Conservation objectives would not be undermined.

	Likelihood of significant effects from proposed development (alone): No
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? Other plans and projects examined in the Screening Report. No other effects of magnitude that could add to other plans and projects.
*Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.	
Step 4: Conclude if the proposed development could result in likely significant effects on a European site	
I conclude that the proposed development (alone) would not result in likely significant effects on South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), Northwest Irish Sea cSPA (004236), South Dublin Bay SAC (000210), North Dublin Bay SAC (000206) and Rockabill to Dalkey SAC (003000). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.	
Screening Determination	

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), Northwest Irish Sea cSPA (004236), South Dublin Bay SAC (000210), North Dublin Bay SAC (000206) and Rockabill to Dalkey SAC (003000) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The brownfield nature of the site and its location within a serviced urban area with available capacity noted at Ringsend WWTP.
- The distance to the European Sites and the urban intervening landscape.
- The screening determination of the planning authority.