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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 0375/17**

**WHEREAS** a question has arisen as to whether the following works at The Hampton Hotel, numbers 19, 21, 23, 25, 27 and 29 Morehampton Road (odd numbers), Dublin, a protected structure, are or are not development and are or are not exempted development:-

Basement level

- (a) Reinstatement of rooms in historic structures as three number bedrooms,
- (b) conversion of single storey 20<sup>th</sup>/21<sup>st</sup> century former nightclub and service areas to 10 number bedrooms,
- (c) reinstatement of windows and insertion of doors in six former opes to the front facades at numbers 25, 27 and 29 Morehampton Road, and
- (d) the insertion of five number doors and four number windows in the rear façade of 20<sup>th</sup>/21<sup>st</sup> century single-storey structure.

#### Ground floor level

- (a) Relocation of existing fire escape, including partial roofing of the route,
- (b) modification to the first flight of escape stairs from the function room, and
- (c) reinstatement of the sub-division of number 29 Morehampton Road as two number bedrooms.

#### First floor level

Construction of a 1.2 metre wide corridor across the rear of number 25 Morehampton Road,

#### External landscaping

The landscaping of four number under-utilised parking spaces to provide a seating area including two umbrellas and transparent wind screens:

**AND WHEREAS** Genport Limited care of Robin Mandal Architects of The Courtyard, 40 Main Street, Blackrock, County Dublin requested a declaration on the question from Dublin City Council and the Council issued a declaration on the 13<sup>th</sup> day of February, 2018 stating that –

#### Basement level

- (d) The insertion of five number doors and four number windows in the rear façade of 20<sup>th</sup>/21<sup>st</sup> century single-storey structure,

is development and is exempted development,

and that: -

#### Basement level

- (a) reinstatement of rooms in historic structures as three number bedrooms,
- (b) conversion of single storey 20<sup>th</sup>/21<sup>st</sup> century former nightclub and service areas to 10 number bedrooms, and
- (c) reinstatement of windows and insertion of doors in six number former opes to the front facades at Numbers 25. 27 and 29 Morehampton Road.

#### Ground floor level

- (a) relocation of existing fire escape, including partial roofing of the route,
- (b) modification to the first flight of escape stairs from the function room, and,
- (c) reinstatement of the sub-division of number 29 Morehampton Road as two number bedrooms.

#### First floor level

Construction of a 1.2 metre wide corridor across the rear of number 25 Morehampton Road,

#### External landscaping

The landscaping of four number under-utilised parking spaces to provide a seating area including two umbrellas and transparent wind screens.

is development and is not exempt development:

**AND WHEREAS** Genport Limited referred the declaration for review to An Bord Pleanála on the 8<sup>th</sup> day of March, 2018:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) the status of the buildings as protected structures,
- (b) sections 2(1), 3(1), 4(1)(h), and 57(1) of the Planning and Development Act, 2000, as amended, and
- (c) the scale, nature and extent of the works:

**AND WHEREAS** An Bord Pleanála has concluded that the specified works at 19 to 29 Morehampton Road, Donnybrook, Dublin constitute development within the meaning of the provisions of sections 2(1) and 3(1) of the Planning and Development Act, 2000 as amended:

**AND WHEREAS** An Bord Pleanála has concluded that the insertion of five number doors and four number windows in the rear façade of 20<sup>th</sup>/21<sup>st</sup> century single-storey structure constitutes development that would not materially affect the character of the protected structure and therefore the restrictions on exemption provided for under section 57 of the Planning and Development Act, 2000 as amended, do not apply in this instance, and the subject works are, therefore, exempted development:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3)(a) of the 2000 Act, hereby decides that the insertion of five number doors and four number windows in the rear façade of 20<sup>th</sup>/21<sup>st</sup> century single-storey structure (Basement level - point (d)) is development and is exempted development:

**AND WHEREAS** An Bord Pleanála has concluded that the following works are development which would materially affect the character of the structure and of elements of the protected structure which contributes to its special architectural interest (including works affecting the interior and the exterior), and therefore the restrictions on exemptions provided for under section 57 of the Planning and Development Act, 2000, as amended, apply in this instance to the following,

Basement level

- (a) reinstatement of rooms in historic structures as three number bedrooms,
- (b) conversion of single storey 20<sup>th</sup>/21<sup>st</sup> century former nightclub and service areas to 10 number bedrooms, and
- (c) reinstatement of windows and insertion of doors in six number former opes to the front facades at Numbers 25, 27 and 29 Morehampton Road.

Ground floor level

- (a) Relocation of existing fire escape, including partial roofing of the route,
- (b) modification to the first flight of escape stairs from the function room, and
- (c) reinstatement of the sub-division of number 29 Morehampton Road as two number bedrooms.

First floor level

Construction of a 1.2 metre wide corridor across the rear of number 25 Morehampton Road,

## External landscaping

The landscaping of four number under-utilised parking spaces to provide a seating area including two umbrellas and transparent wind screens:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3)(a) of the 2000 Act, hereby decides that these works (Basement level - points (a) to (c), Ground floor level – points (a) to (c), First floor level and External landscaping) are development and are not exempted development.

## Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Maria FitzGerald**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**