



---

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3393/19**

**Appeal** by QMK Dublin Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 27<sup>th</sup> day of August, 2019 by Dublin City Council to refuse permission to QMK Dublin Limited:

**Proposed Development:** Permission for development to amend a previously permitted hotel [planning register reference number 3303/18, the 'parent permission'; which has been subsequently amended by planning register reference number 4352/18 (An Bord Pleanála reference number ABP-303553-19)] at this site of circa 603 square metres at numbers 17, 18 and 19 Moore Lane. The development will consist of the provision of two number additional floors (804 square metres) (with setbacks along Parnell Street and Moore Lane, respectively) to the permitted seven number storey (including lower ground floor level) hotel building resulting in a nine number storey building with a gross floor area of 4,857 square metres (including a lower ground floor level of 517 square metres). The development will result in an additional 33 number additional bedrooms (increasing the total number of bedrooms from 141 number permitted to 174 number proposed). The development will also include: amendments to the permitted internal layout to the fifth and sixth floor levels; associated elevational changes; the provision of SUDs measures,

including a sedum roof; rooftop plant; and all ancillary development above and below ground, all at numbers 17, 18 and 19 Moore Lane, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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.

## **Reasons and Considerations**

Having regard to the Z5 land-use zoning objective as set out in the the Dublin City Development Plan 2016- 2022, the site's planning history, the "Urban Development and Building Heights Guidelines for Planning Authorities" issued by the Department of Housing, Planning and Local Government in December, 2018, the pattern of development and recent permissions in the area, and the nature and scale of the additional accommodation proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area, would not detract from the character of the adjoining Georgian buildings and Georgian Square, and would make a positive contribution to the Parnell Street streetscape. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. The development shall comply with the conditions attached to permission granted under planning register reference number 3303/18 for the original development except as amended in order to comply with the conditions attached to this permission.

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

3. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

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

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

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

5. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

6. 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. The developer shall liaise with Transport Infrastructure Ireland in this regard, prior to the submission of this statement. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

7. Prior to the commencement of development, the developer shall liaise with both Transport Infrastructure Ireland and the tram operators, and a Construction Traffic Management Plan, as well as full plans and details of all servicing access arrangements for the development, which shall identify mitigation measures to protect operational Luas Infrastructure, including during construction, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In order to safeguard public transport infrastructure.

8. 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 Bord 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.

9. The developer shall pay to the planning authority a financial contribution in respect of the Luas Cross City (St. Stephen's Green to Broombridge Line) 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 Bord 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.

---

**John Connolly**

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

**Dated this            day of            2020.**