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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4597/19**

**Appeal** by Ampbay Limited care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 4<sup>th</sup> day of February, 2020 by Dublin City Council in relation to an application for permission for: (a) façade alterations at ground level of numbers 30 and 29 Parliament Street with new proposed door to existing shopfront, (b) change of use from first to fourth floor of the existing north facing stairwell to four number hotel bedrooms (one at each of the floor level), (c) change of use at fifth floor level from linen store to hotel bedroom and small internal reconfigurations of linen and cleaner store around the eastern stairwell and (d) the addition of a 294.2 square metre sixth floor level comprising eight number hotel bedrooms accessed via two stairwells, two lifts and a service lift. The hotel bedroom count will increase from previously approved 117 number bedrooms (as permitted under planning register reference number 3778/17) to 130 number bedrooms over seven storeys, all on lands at numbers 27-32 Parliament Street (numbers 27, 28 and 31 being Protected Structures), Dublin, 1-2 Essex Gate (both Protected Structures), Dublin and 7-10 Exchange Street Upper (numbers 9 and 10 being Protected Structures), Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for façade alterations at ground level of numbers 30 and 29 Parliament Street with new proposed door to existing

shop front, change of use from first to fourth floor of the existing north facing stairwell to four number hotel bedrooms (one at each of the floor level) and change of use at fifth floor level from linen store to hotel bedroom and small internal reconfigurations of linen and cleaner store around the eastern stairwell and to refuse permission for the addition of a 294.2 square metres sixth floor level comprising eight number hotel bedrooms accessed via two stairwells, two lifts and a service lift).

## **Decision**

**GRANT permission for façade alterations at ground level of numbers 30 and 29 Parliament Street with new proposed door to existing shop front, change of use from first to fourth floor of the existing north facing stairwell to four number hotel bedrooms (one at each of the floor level) and change of use at fifth floor level from linen store to hotel bedroom and small internal reconfigurations of linen and cleaner store around the eastern stairwell in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the condition set out below. REFUSE permission for the addition of a 294.2 square metre sixth floor level comprising eight number hotel bedrooms accessed via two stairwells, two lifts and a service lift based on the reasons and considerations marked (2) under.**

## **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 (1)**

The Board considered that the proposed development, subject to compliance with the condition set out below, would not adversely affect the integrity and character of the existing and surrounding buildings or seriously injure the visual or residential amenities of the area, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

### **Condition**

The development shall be carried out in accordance with conditions numbers 1 to 11 attached to the grant of permission under planning register reference number 4597/19 on the 4<sup>th</sup> day of February, 2020.

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

## Reasons and Considerations (2)

1. The proposed development of the addition of a sixth floor would constitute a visually obtrusive form of development due to its height, scale and massing, would represent an overdevelopment of the subject site which would fail to integrate with the existing and surrounding development and would, therefore, adversely affect the character and setting of the protected structures and the streetscape within the Architectural Conservation Area, especially in views on approach from Capel Street to the north along Parliament Street towards City Hall. The proposed development would, therefore, be contrary to Section 11.1.5.3 and Policy CHC4 of the Dublin City Development Plan 2016-2022, would set a precedent for similar development and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would give rise to overlooking and perceived overlooking and would have an overbearing impact on apartments on Exchange Street Upper opposite the site as a result of which the proposed development would devalue and seriously injure the residential amenities of adjoining property and would be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2020.**